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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 28th April, 1964:—

Issue No.	No. and Date	Issued by	Subject
112	S.O. 1423, dated 22nd April, 1964.	Ministry of Finance.	Order of moratorium in respect of the Southern Bank Ltd., Calcutta.
113	S.O. 1424, dated 24th April, 1964.	Do.	Exempting persons from the requirement to payment on or before 31st March, 1964 of the deposit referred to in the Compulsory Deposit Scheme Act, 1963 and the Compulsory Deposit (Income-tax Payers) Scheme 1963, under condition that such deposit is made before 30th June, 1964.
114	S.O. 1425, dated 27th April, 1964.	Do.	Appointing Shri M. A. Rangaswamy, Collector of Customs, Bombay, also to act as such in Goa.
115	S.O. 1514, dated 28th April, 1964.	Ministry of Information and Broadcasting.	Approval of the films specified therein.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

**PART II—Section 3—Sub-section (ii)**

**Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).**

**ELECTION COMMISSION, INDIA**

*New Delhi, the 28th April 1964*

**S.O. 1519.**—In continuation of its Notification No. 82/258/62 dated the 16th May, 1963, the Election Commission hereby publishes, for general information, the Judgments of the Supreme Court of India given on the 20th December, 1963, on Civil Appeal No. 815 of 1963 filed by Shri Vidyacharan Shukla against the decision of the High Court of Madhya Pradesh dated the 23rd April, 1963.

**IN THE SUPREME COURT OF INDIA****CIVIL APPELLATE JURISDICTION****CIVIL APPEAL No. 815 OF 1963**

**Vidyacharan Shukla—Appellant.**

*Versus*

**Khubchand Baghel and others—Respondents.**

**JUDGMENT**

*Subba Rao, J.:—*

This appeal by special leave raises the question of true construction of the provisions of s.29(2) of the Indian Limitation Act, 1908 (9 of 1908), in the context of its application to s.116-A of the Representation of the People Act, 1951 (43 of 1951), hereinafter called the Act.

The facts relevant to the question raised lie in a small compass and they are not disputed. The appellant was elected to the House of the People from the Mahasamund Parliamentary Constituency in the State of Madhya Pradesh in the third general Elections. The respondents were the other contesting candidates. Respondent<sup>1</sup> filed an election petition before the Election Commissioner of India under ss. 80 and 81 of the Act for setting aside the election of the appellant and it was duly referred to the Election Tribunal. The Election Tribunal, by its order dated January 5, 1963, dismissed the election petition. On February 11, 1963, the first respondent preferred an appeal against the said order of the Election Tribunal to the High Court of Madhya Pradesh at Jabalpur. Under sub-s.(3) of s.116-A of the Act every appeal under Ch. IVA of the Act shall be preferred within a period of thirty days from the date of the order of the Tribunal under s.98 or s.99 thereof. Admittedly, the appeal was filed more than 30 days from the said order. If the time requisite for obtaining a copy of the order of the Tribunal was excluded, the appeal was filed within 30 days; but, if in law it could not be excluded, the appeal would certainly be out of time. The appellant contended before the High Court that respondent<sup>1</sup> was not entitled in law to exclude the time so taken by him in obtaining a copy of the order of the Tribunal, but that plea was rejected by the High Court. On merits, the High Court held that the appellant had committed two acts of corrupt practice as defined by s.123(4) of the Act and on that finding it declared the election of the appellant void. It is not necessary to go into the details of the judgment of the High Court given on the merits of the case, as nothing turns upon them in this appeal, for the learned counsel confined his argument only to the question of limitation. The present appeal has been preferred by the appellant against the said order of the High Court setting aside his election.

The only question, therefore, is whether for the purpose of computing the period of 30 days prescribed under s.116-A(3) of the Act the provisions of s.12 of the Limitation Act can be invoked.

Mr. Pathak, learned counsel for the appellant. In an elaborate argument placed before us the different aspects of the question raised, and 9 shall deal with his argument in the appropriate context in the course of my judgment. It would be convenient at the outset to read the relevant provisions of the Act and those of the Limitation Act.

*The Representation of the People Act, 1951*

*Section 98.*—At the conclusion of the trial of an election petition the Tribunal shall make an order:— decision of the Tribunal

- (a) dismissing the election petition; or
- (b) declaring the election of all or any of the returned candidates to be void; or

*Section 116-A.*—(1) An appeal shall lie from every order made by a Tribunal under section 98 or section 99 to the High Court of the State in which the Tribunal is situated.

(2) The High Court shall, subject to the provisions of this Act, have the same powers, jurisdiction and authority, and follow the same procedure, with respect to an appeal under this Chapter as if the appeal were an appeal from an original decree passed by a civil court situated within the local limits of its civil appellate jurisdiction.

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(3) Every appeal under this Chapter shall be preferred within a period of thirty days from the date of the order of the Tribunal under section 96 or section 99:

Provided that the High Court may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within such period.

*The Indian Limitation Act, 1908*

*Section 29.*—(2) Where any special or local law prescribes for any suit, appeal or application a period of limitation different from the period prescribed therefor by the first Schedule, the provisions of section 3 shall apply, as if such period were prescribed therefor in that Schedule, and for the purpose of determining any period of limitation prescribed for any suit, appeal or application by any special or local law:—

- (a) the provisions contained in section 4, sections 9 to 18, and section 22 shall apply only in so far as, and to the extent to which, they are not expressly excluded by such special or local law; and
- (b) the remaining provisions of this Act shall not apply.

*Section 12.*—(2) In computing the period of limitation prescribed for an appeal, an application for leave to appeal and an application for a review of judgment, the day on which the judgment complained of was pronounced, and time requisite for obtaining a copy of the decree, sentence or order appealed from or sought to be reviewed, shall be excluded.

(3) Where a decree is appealed from or sought to be reviewed, the time requisite for obtaining a copy of the judgment on which it is founded shall also be excluded.

Section 116-A of the Act confers a right of appeal against an order of the Tribunal under s.98 or s.99 thereof sub-s.(3) thereof prescribed a period of limitation of 30 days for preferring such an appeal. Section 29 of the Limitation Act attracts by fiction, the provisions of section 3 thereof to an appeal described in section 29 of the said Act, with the result, the provisions of sub-ss. (2) and (3) of s. 12 of the Limitation Act are attracted thereto; and if those sub-sections were attracted in computing the period of limitation prescribed for an appeal the time requisite for obtaining a copy of the decree or order or judgment on which it is founded shall be excluded. Learned counsel for the appellant, therefore, contends that s.29 of the Limitation Act does not apply to an appeal under s.116-A of the Act. The first argument of learned counsel is that for invoking sub-s.(2) of s.29 of the Limitation Act the necessary condition is that the First Schedule thereto shall prescribe a period of limitation for an appeal and that a special law shall prescribe for the same type of appeal a different period of limitation and that, as in the present case the First Schedule has not prescribed any period of limitation to an appeal under s.116-A of the Act against an order of the Tribunal, sub-s.(2) of s.29 of the Act is not attracted. This argument is met by learned counsel for the respondents in two ways, namely, (i) that the First Schedule to the Limitation Act has prescribed a period of limitation for such an appeal, and (ii) that sub-s.(2) will apply even to a case where the First Schedule to the Limitation Act has not prescribed any period of limitation for an appeal, but a special law

prescribed a period of limitation for such an appeal. I shall proceed to consider the two limbs of the argument separately.

Has the First Schedule to the Limitation Act prescribed a period of limitation for an appeal against an order of an Election Tribunal under s. 98 or s. 99 of the Act? Article 156 of the First Schedule to the Limitation Act says that to an appeal under the Code of Civil Procedure, 1908 to High Court, except in the cases provided for by article 151 and article 153, the period of limitation is 90 days from the date of the decree or order appealed from; and article 151 referred to in article 156 provides for an appeal against a decree or order of any of the High Courts of Judicature at Fort William, Madras, and Bombay, or of the High Court of Punjab in the exercise of its original jurisdiction. What does the expression "under the Code of Civil Procedure" in art. 156 of the First Schedule to the Limitation Act connote? Does it mean that a right of appeal shall be conferred under the Code of Civil Procedure, or does it mean that the procedure prescribed by the said Code shall apply to such an appeal? A comparison of the terms of art. 156 and art. 151 indicates that the emphasis is more upon the procedure applicable to an appeal than on the right of appeal conferred under an Act. The heading of the first column in the First Schedule to the Limitation Act is "Description of appeal". The phraseology used in art. 156 describes the nature of the appeal in respect of which a particular period of limitation is prescribed. It does not refer to a right conferred under the Code of Civil Procedure, but only describes the appeal with reference to the procedure applicable thereto. Though the word "under" may support the contrary view, the reference to art. 151 therein detracts from it. Article 151 is an exception to art. 156, indicating thereby that, but for the exception, art. 156 will apply to an appeal covered by art. 151; that is to say, an appeal under art. 151 is deemed to be an appeal under the Code of Civil Procedure. Though a right of appeal is conferred under the Letters Patent, it is deemed to be an appeal under the Code of Civil Procedure, because the Code of Civil Procedure governs the said appeal. As Rajamannar, C.J. observed in *Kandaswami Pillai v. Kannappa Chetty*, (1)

"It is well established that the Limitation Act and the Code are to be read together, because both are statutes relating to procedure and they are in *part materia* and, therefore, to be taken and construed together as one system as explanatory of each other"

So construed it may reasonably be held that art. 156 provides for an appeal governed by the procedure prescribed by the Code of Civil Procedure. This view was accepted by the Calcutta High Court as early as 1888 in *Aga Mahomed Hamadani v. Cohen* (2). There, under s. 49 of the Burma Courts Act (XVII of 1875), where the amount or value of a suit or proceeding in the Recorders' Court exceeded Rs. 3000/-, and was less than Rs. 10,000/-, an appeal lay to the High Court. Under s. 97 of the said Act, "save as otherwise provided by this Act, the Code of Civil Procedure shall be, and shall, on and from the 15th day of April, 1872, be deemed to have been in force throughout British Burma". Section 540 of the Civil Procedure Code of 1882, which was in force at that time, read:—

"Unless when otherwise expressly provided by this Code or by any other law for the time being in force, an appeal shall lie from the decrees or from any part of the decrees of the Courts exercising original jurisdiction to the Courts authorised to hear appeals from the decisions of those Courts."

The effect of this provision of the Code on the Burma Courts Act was that where an appeal was not expressly excluded by any special Act, an appeal lay to whatever court which under the enactment in force was the appropriate court. But this section was overborne by the Burma Courts Act to the extent it conferred a right of appeal from the Recorder's Court to the High Court subject to certain conditions, for s. 49 of the Burma Courts Act had taken away the right of appeal of value under a prescribed amount and conferred such a right, when the subject-matter of the appeal was between two prescribed amounts, from the decree of the Recorder's Court to the High Court. It is, therefore, not correct to say, as contended by the learned counsel, that a right of appeal was conferred under s. 540 of the Code of Civil Procedure, 1882. After the passing of the Burma Courts Act, a right of appeal was conferred under s. 49 of that Act and not under s. 540 of the Code. It was contended before the Calcutta High Court, as it is now contended before us, that art. 156 of Schedule II of the Limitation Act did not apply to an appeal under the Burma Courts Act, on the ground that the said appeal

(1) A.I.R. 1952 Mad. 196.

(2) (1886) I.L.R. 13 Cal 221.

was not an appeal under the Code of Civil Procedure. The learned judges observed thus, at p. 224:—

"Now, what is meant by an appeal under the Civil Procedure Code? A particular appeal was given by the Burma Courts Act and the Burma Courts Act is still the only Act which prescribes to what Court this appeal shall lie. If it had not been given by the Burma Courts Act then s. 540 of the Civil Procedure Code, would have been sufficient to give it, provided that some Court was by some enactment provided as the proper Court to hear the appeal. The procedure in appeals in every respect is governed by the Code of Civil Procedure. The Limitation Act, Sch. II, Art. 156, when it speaks of the Civil Procedure Code is, on the face of it, speaking of a Code which relates to procedure, and does not ordinarily deal with substantive rights; and the natural meaning of an appeal under the Civil Procedure Code appears to us to be an appeal governed by the Code of Civil Procedure so far as procedure is concerned."

It is manifest from the passage that the learned judges did not repel the contention on the ground that the right of appeal was conferred by s. 540 of the Code of Civil Procedure, but expressly for the reason that the natural meaning of the relevant expression in art. 156 of Sch. II of the Limitation Act was that the appeal mentioned therein was one governed by the Code of Civil Procedure. This decision was followed by a Division Bench of the Madras High Court in *Ramasami Pillai v. The Deputy Collector of Madura*<sup>(3)</sup>. The learned judges, Abdur Rahim and Oldfield, JJ., held that art. 156 of the Limitation Act (IX of 1908) applied to appeals filed under s. 54 of the Land Acquisition Act (I of 1894). The right of appeal was conferred under the Land Acquisition Act, but the procedure prescribed by the Code of Civil Procedure governed that appeal. The same argument now raised before us was raised, but was repelled. After citing the relevant part of the passage from the judgment of the Calcutta High Court extracted above, the learned judges stated at P. 55 thus:—

"It seems to us that this is the correct interpretation of article 156. There seems to be no good reason for saying that an appeal under the Civil Procedure Code means only an appeal the right to prefer which is conferred by the Code itself. On the other hand it would not be straining the language of the article too much to hold that an appeal, the procedure with respect to which, from its inception to its disposal, is governed by the Civil Procedure Code, may rightly be spoken of as an appeal under the Code."

Then the learned Judges referred to art. 151 of the Limitation Act and concluded thus:—

"That also tends to show that what is meant by the legislature is appeals, the hearing and disposal of which is governed by the rules of procedure laid down in the Civil Procedure Code."

Though about 77 years have passed by since the decision of the Calcutta High Court and though the Limitation Act was amended a number of times, the Legislature did not think fit to express its dissent from this view by amendment or otherwise. No direct decision has been brought to our notice which has differed from, or even questioned the correctness of, this decision. In this context we may also refer to the decision of the Allahabad High Court in *Dropadi v. Hira Lal*<sup>(4)</sup> where it is pointed out that several Indian enactments, for instance, the Succession Act, the Probate and Administration Act, the Land Acquisition Act and the Provincial Insolvency Act confer rights of appeal and direct the application of the provisions of the Code of Civil Procedure to such appeals, but prescribed no period within which such appeals might be filed. The idea being that art. 156 of the Limitation Act would furnish the period of limitation for the filing of such appeals. Mr. Pathak, learned counsel for the appellant, brought to our notice a number of decisions which considered the forum to which an appeal shall lie against an order under s. 476 of the Code of Criminal Procedure and the procedure to be followed therein.

In *Nasaruddin Khan v. Empror*<sup>(5)</sup> where an appeal under s. 476-B of the Code of Criminal Procedure from the Court of the Munsif was heard in part by the District Judge, and on the next date of hearing the appellant's pleader was not present in Court, it was held that the District Judge was entitled to consider that

(3) (1919) I.L.R. 43 Mad. 51.

(4) (1912) I.L.R. 34 All. 496.

(5) 1926 I.L.R. 53 Cal. 827.

the appeal had been abandoned and to dismiss it under the provisions of order XLI of the Code of Civil Procedure. In *Mt. Abida Khatoon v. Chote Khan*<sup>(6)</sup>, the Allahabad High Court held, under similar circumstances. That an appellate Court could set aside an order dismissing an appeal for default. The Nagpur High Court, in *Bholanath Balbhadra Sehat v. Achharam Puran Kurmi* <sup>(7)</sup>, held that in such an appeal the appellate Court could exercise its power under O.XLI.r.27 of the Code of Civil Procedure. In *Chandra Kumar Sen v. Mathuria Debya* <sup>(8)</sup>, the Calcutta High Court applied to such an appeal the period of limitation prescribed under art. 154 of the Limitation Act.

It is said that the combined effect of these decisions is that the procedure applicable in an appeal against an order made by a civil court under s. 476 of the Code of Criminal Procedure is that prescribed by the Code of Civil Procedure whereas the period of limitation is that prescribed for an appeal under the Code of Criminal Procedure. But the learned counsel himself conceded that there is a conflict of decisions on the question whether to an appeal against the order of a civil court under s. 476-B of the Code of Criminal Procedure the civil procedure applies or the criminal procedure applies and, therefore, the only decision which may have some bearing on the question now raised is that in *Chandra Kumar Sen v. Mathuria Debya*<sup>(8)</sup> there, an application was filed before the Subordinate Judge for filling of a complaint against the petitioner under s. 476 of the Code of Criminal Procedure. That was rejected. The complainant preferred an appeal to the District Judge more than 30 days prescribed under art. 154 of the Limitation Act. The learned District Judge held that no question of limitation arose, for the district Judge *suo motu* could lodge a complaint in the criminal court when an offence in connection with the administration of civil justice came to his notice. On that reasoning he instituted a complaint. The High Court held that the appeal was filed before the District Judge under s. 476-B of the Code of Criminal Procedure and that under art. 154 of the Limitation Act it should have been filed within 30 days from the date of the order of the Subordinate Court. It will be noticed that no argument was raised in that case that the appeal was governed by the Code of Civil Procedure and, therefore, the appropriate article of the Limitation Act was not art. 154, but art. 156 thereof, for the simple reason that whichever article applied the appeal was clearly barred by limitation. It is not, therefore, permissible to read into the decision the entire argument now advanced before us. The present question was neither raised nor argued in that case. It may, therefore, be safely held that for over 75 years the decision of the Calcutta High Court on the construction of art. 156 of the Limitation Act stood the ground. Though it must be conceded that the point is not free from difficulty, we are not prepared to depart from the construction put upon the article as early as 1886 and which was not dissented from all these years. I therefore, hold that the expression "appeal under the Code of Civil Procedure" in art. 156 of the Limitation Act means an appeal governed by the Code of Civil Procedure.

Even so, it is contended that under s. 116-A(2) of the Act the High Court, though it has the same powers, jurisdiction and authority of an appellate court governed by the code of Civil Procedure, it is not empowered to follow the procedure prescribed under the Code in respect of receiving the appeals. This argument is contrary to the express terms of sub-s. (2) of s. 116-A of the Act. Under that sub-section, "The High Court shall subject to the provisions of this Act, have the same powers, jurisdiction and authority and follow the same procedure, with respect to an appeal under this Chapter as if the appeal were an appeal from an original decree passed by a civil court situated within the local limits of its civil appellate jurisdiction". Under the second part of sub-s. (2) of s. 116-A of the Act, a fiction is created, namely, that though a right of appeal is conferred by s. 116-A(1) of the Act, the appeal thereunder for the purpose of sub-s. (2) will be deemed to be an appeal from an original decree passed by a civil court situated within the local limits of its civil appellate jurisdiction. The first part of the sub-section described the purposes for which the fiction is invoked, namely, the exercise of the powers, jurisdiction and authority and the following of the procedure with respect to such an appeal. The powers, jurisdiction and authority take in the powers, jurisdiction and authority exercisable by an appellate tribunal in regard to various matters prescribed in the Code of Civil Procedure. What does the word "procedure" mean? The procedure must necessarily be the procedure governing such an appeal. It means *inter alia* the manner of receiving an appeal in the court, the preparation of records of the appeal, the posting of the appeal and the manner of its disposal. We find it impossible to exclude from the word "procedure" the filing and receiving of an appeal in the court. If

(6) A.I.R. 1936 + Ail. 155.

(7) A.I.R. 1937 Nag. 91.

(8) (1925) I.L.R. 52 Cal. 1009.

that part was excluded, how could the appeal be received in the High Court? The answer given is that the Government might make rules under s.169(1) of the Act. When s.168(2) confers a statutory power on the High Court to follow the procedure prescribed by the Code of Civil Procedure, we cannot invoke the general power of the Central Government to make rules under s.169(1) of the Act. If so, the procedure prescribed by O. XLI of the Code of Civil Procedure, along with the other relevant provisions of the said Code, equally applies to an appeal filed under s.116-A(2) of the Act. The result is that under s.116-A(2) of the Act, the appeal by fiction, is equated with an appeal filed under the Code of Civil Procedure in the matter of not only the exercise of the powers, jurisdiction and authority but also in the matter of procedure to be followed from the date of receipt of the appeal to its final disposal. For the aforesaid reasons, I hold that the special law, namely, the Act, prescribes a period of limitation different from the period prescribed therefor by the First Schedule to the Limitation Act within the meaning of art. 29(2) of the Limitation Act. If so, s.12 of the Limitation Act is attracted, and the 1st respondent was entitled to exclude the time taken by him for obtaining the copy of the order.

Even assuming that art. 156 of Schedule I to the Limitation Act did not prescribe a period of limitation for the kind of appeal under consideration, the question arises whether sub-s.(2) of s.29 of the Limitation Act would not be applicable if no period was prescribed by the First Schedule for an appeal created by a special law but the special law prescribed a period of limitation for the same. The history of this provision throws some light on this question. The first limitation Act was passed in the year 1859 (Act XIV of 1859). Section 3 of that act provided:—

“When, by any law now or hereafter to be in force, a shorter period of limitation than that prescribed by this Act is specially prescribed for the institution of a particular suit, such shorter period of limitation shall be applied notwithstanding this Act.”

The provisions of the Act of 1859 were repealed by the Limitation Act IX of 1871. Section 6 of that Act, which is relevant to the present inquiry, read:—

“When, by any law not mentioned in the schedule hereto annexed, and now or hereafter to be in force in any part of British India, a period of limitation differing from that prescribed by this Act is especially prescribed for any suits, appeals or applications, nothing herein contained shall affect such law.”

The limitation Act of 1871 was replaced by Act XV of 1877. Section 6 of this Act read:—

“When, by any special or local law now or hereafter in force in British India, a period of limitation is specially prescribed for any suit, appeal or application, nothing herein contained shall affect or alter the period so prescribed.”

The same provision was retained in the Limitation Act IX of 1908, but it was amended in the year 1922 in the present form. Before the amendment of 1922, there was a difference of view on the following questions, namely, (1) whether the general provisions of the Limitation Act, where the word “prescribed” alone without reference to any Act, was used or even where that word was not used, would be applicable to special or local laws, and (2) whether the general provisions of the Limitation Act did not apply at all to the periods of limitation prescribed by special or local laws. Decisions holding that the general provisions of the Limitation Act did not apply to periods of limitations prescribed by other laws relied upon the expression “affect or alter” used in the section as it then stood. Section 29 of the Limitation Act was amended to remove the conflict with a view to make the general provisions applicable to the period of limitation prescribed by special or local laws. A comparison of the phraseology of the earlier sections shows that while s.3 of the Limitation Act of 1859 used the words “shorter period” s.6 of the Act of 1871 used the expression “differing”, and s.6 of the Acts of 1877 and 1908 removed both the expressions. The result was that s.6 of the Act of 1871 saved all the special or local laws which prescribed a special period of limitation from the operation of the provisions of the Limitation Act. As the section then stood, it applied to all special or local laws prescribing a period of limitation whether the Limitation Act prescribed any period of limitation or not for suits or appeals similar to those governed by special or local laws, or where the period of limitation so prescribed by special or local laws was shorter or longer than that prescribed in the Limitation Act. Can it be said that by the amending Act of 1922 a conscious departure was made by the Legislature to impose a condition for the application of sub-s.(2) of s.29, namely, that a period of

limitation should have been expressly prescribed by the First Schedule to the Limitation Act in respect of a suit or appeal governed by the special or local law? There was no occasion for such a departure. To put it in other words, apart from resolving the conflict, did the Legislature intend to exclude a particular category of proceedings governed by special or local laws from the operation of the benefit conferred by sub-s.(2) of s.29? No justification was suggested for such a departure and we find none.

The problem may be approached from a different perspective. The scheme of the Limitation Act may be briefly stated thus: The preamble of the Act shows that it was passed to consolidate and amend the laws relating to the law of limitation in respect of the proceedings mentioned in the Act. It applies to the whole of India. Part II comprising sections 3 to 11 deals with limitation of suits, appeals and applications; Part III comprising sections 12 to 25 provides for computation of periods of limitation; and Part V deals with savings and repeals. We are not concerned with Schedules II and III, for they have been repealed. The First Schedule consists of three divisions; the first division provides for the period of limitation for suits; the second division, for appeals; and the third division, for applications. Article 120 found in the first division prescribes for a suit for which no period of limitation is prescribed elsewhere in the Schedule; article 181 in the third division prescribes for application for which no period of limitation is prescribed elsewhere in the Schedule or by section 48 of the Code of Civil Procedure. But no such residuary article is found in the second division dealing with appeals. The Limitation Act was conceived to be an exhaustive code prescribing for every conceivable proceeding, whether suit, appeal or application, subject to the saving in Part V thereof. It follows that there is no period of limitation for an appeal not provided for in the second division unless the special or local law prescribes for it. If so, it may reasonably be said that, as the First Schedule of the Limitation Act prescribes no limitation for an appeal not covered by articles 150 to 157 thereof, under the Limitation Act such a suit or appeal can be filed irrespective of any time limit.

With this background let us revert to the construction of section 29(2) of the Limitation Act. When the First Schedule of the Limitation Act prescribes no time limit for a particular appeal, but the special law prescribes a time limit to it, can it not be said that under the First Schedule of the Limitation Act an appeal can be filed at any time, but the special law by limiting it provides for a different period? While the former permits the filing of an appeal at any time, the latter limits it to the prescribed period. It is, therefore, different from that prescribed in the former. This problem was considered by a Division Bench of the Bombay High Court, consisting of Chagla, C.J. and Gajendragadkar, J., in *Canara Bank Limited, Bombay v. The Warden Insurance Company, Limited, Bombay*<sup>9</sup>. Therein, Chagla, C.J., speaking for the Court, observed at p. 1086 thus:—

“The period of limitation may be different under two different circumstances. It may be different if it modifies or alters a period of limitation fixed by the first Schedule to the Limitation Act. It may also be different in the sense that it departs from the period of limitation fixed for various appeals under the Limitation Act. If the first Schedule to the Limitation Act omits laying down any period of limitation for a particular appeal and the special law provides a period of limitation, then to that extent the special law is different from the Limitation Act. We are conscious of the fact that the language used by the Legislature is perhaps not very happy, but we must put upon it a construction which will reconcile the various difficulties caused by the other sections of the Limitation Act and which will give effect to the object which obviously the legislature had in mind, because if we were to give to section 29(2) the meaning which Mr. Adarkar contends for, then the result would be that even section 3 of the Limitation Act would not apply to this special law. The result would be although an appeal may be barred by limitation, it would not be liable to be dismissed under section 3.”

A full Bench of the Allahabad High Court, in *Sehat Ali Khan v. Abdul Qavi Khan*<sup>10</sup>, also dealt with this question. The learned judges expressed conflicting views. Mootham, C.J. assumed that the first limb of the sub-section did not apply to a case where the schedule omitted to provide for a period of limitation. On that assumption he proceeded to consider the second limb of the sub-section. Dayal, J., took the view that for the application of the first part of section 29(2)

<sup>9</sup> I.L.R. 1952 Bom. 1083.

<sup>10</sup> I.L.R. (1956) 2 A.L.J. 252.



the period of limitation should have been prescribed by the first schedule. Agarwala J agreed with the view of the Bombay High Court. Bhargava J agreed with the view expressed by Mootham, C.J. and Upadhyaya, J., did not agree with the view of the Bombay High Court. A division Bench of the Madhya Pradesh High Court in *Beharilal Chaurasiya v. Regional Transport Authority*<sup>11</sup> agreed with the view expressed by the Division Bench of the Bombay High Court. Dixit, C.J., speaking for the Court, stated thus —

"A special law may provide a period of limitation and schedule 1 may omit to do so. None the less the special law would be different from the Limitation Act. Section 29(2) of the Limitation Act is not very happily worded. It must be construed so as to avoid absurdity. The expression "a period of limitation different from the period prescribed therefor by the first schedule" occurring in section 29(2) cannot be construed as meaning that schedule 1 must also positively prescribe the period of limitation. Such a construction would not be in accordance with the intention of the Legislature and would lead to an absurdity."

The learned Chief Justice proceeded to consider the anomalous position that would arise if a literal construction was given to the provisions of the first part of the section. This Court, in *Kaushalya Ram v. Gopal Singh*<sup>12</sup>, had to consider this question incidentally in the context of the application of section 29(2) of the Limitation Act to an application for special leave to appeal against an order of acquittal, under sub-section (3) of section 417 of the Code of Criminal Procedure. This Court held that section 5 of the Limitation Act would not apply to an application for special leave to appeal under sub-section (3) of section 417 of the Code of Criminal Procedure. The Limitation Act does not provide any period of limitation for an application for special leave to appeal from an order of acquittal under the said section. If that be so, on the argument of learned counsel for the appellant, section 29 of the Limitation Act could not be invoked. But this Court held that section 29(2) of the Limitation Act applied, but that section excluded the application of section 5 to the said application. Sinha, C.J., speaking for the Court, observed —

"Hence it may be said that there is no limitation prescribed by the Limitation Act for an appeal against an order of acquittal at the instance of a private prosecutor. Thus, there is a difference between the Limitation Act and the rule laid down in section 417(4) of the Code in respect of limitation affecting such an application. Section 29(2) is supplemental in its character in so far as it provides for the application of section 3 to such cases as would not come within its purview but for this provision."

This observation clearly supports the position that section 29(2) would apply even to a case where a difference between the special law and the Limitation Act arose by the omission to provide for a limitation to a particular proceeding under the Limitation Act.

I, therefore, hold that in the instant case the Act provides a period of limitation different from that prescribed therefor by the First Schedule to the Limitation Act and, therefore, it is governed by section 29(2) of the said Act.

Even if my view on the construction of the first limb of section 29 of the Limitation Act were wrong, it would not help the appellant, for his case squarely falls within the scope of the second limb of the section. For convenience I restate the relevant part of the sections

"... and for the purpose of determining any period of limitation prescribed for any suit, appeal or application by any special or local law"

Learned counsel for the appellant relied upon the conjunction "and" in support of his contention that the use of that conjunction makes the following sentence a limitation on the first part of the section. He further argues that if it is not a limitation but an independent clause, it will lead to the anomaly of sections 4 to 25 of the Limitation Act applicable to proceedings falling under the first part and only some of the provision thereof, namely, sections 4, 9 to 18 and 22 applying to the second part of the section. Apart from the grammatical construction, which I will consider presently, I do not see any anomaly in sections 4 to 25 of the Limitation Act applying to the first part of the section and only some of them applying to the second part thereof. Those proceedings to which the first part

<sup>11</sup> AIR 1961 MP. 75, 77

<sup>12</sup> CrI Appeal No. 126 of 1962 (decided on 20-9-1963).

applies, by fiction the period prescribed in the special or local law is treated as prescribed in the first Schedule itself. There cannot possibly be any reason why section 3 of the Limitation Act *in toto* shall not apply to them. But the same cannot be said in the case of the proceedings of a different type not provided for in the first Schedule. So, the Legislature specified the sections applicable to them and excluded the general sections which relate to legal disabilities, acknowledgements, part-payments and others specified therein. The Legislature may have thought that such articles are not generally appropriate to proceedings under special or local laws for reliefs not provided for in the first Schedule.

Now, coming to the construction of section, the relevant rule of construction is well settled. "A construction which will leave without effect any part of the language of a statute will normally be rejected"; or to put it in a positive form, the Court shall ordinarily give meaning to every word used in the section. Does the conjunction "and" make the following clause a limitation on the preceding one? No rule of grammatical construction has been brought to our notice which requires an interpretation that if sentences complete by themselves are connected by a conjunction, the second sentence must be held to limit the scope of the first sentence. The conjunction "and" is used in different contexts. It may combine two sentences dealing with the same subject without one depending upon the other. But, if the interpretation suggested by the learned counsel be accepted, we would not be giving any meaning at all to the word "any" used thrice in the second part of the section, namely, "any period", "any suit" and "any special or local law". If the second part is a limitation on the first part, the sentence should read, "for the purpose of determining the period of limitation prescribed for such suit, appeal or application by such special or local law. Instead of that, the use of the word "any" clearly demonstrates that the second part does not depend upon the first part or *vice versa*. There is no reason why we should attribute such a grammatical deficiency to the legislation when every word in the second part of the section can be given full and satisfactory meaning. I would, therefore, hold that the second part is an independent provision providing for the aforesaid category of proceedings to which the first part does not apply. This is the view expressed by the majority of the Judges of the Full Bench of the Allahabad High Court in *Sehat Ali Khan v. Abdul Qavi Khan*<sup>10</sup>. I agree with the same.

It was then said that section 116-A of the Act provided an exhaustive and exclusive code of limitation for the purpose of appeals against orders of tribunals and reliance is placed on the proviso to sub-section (3) of that section, which reads:

"Every appeal under this Chapter shall be preferred within a period of thirty days from the date of the order of the Tribunal under section 98 or section 99.

Provided that the High Court may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within such period."

The contention is that sub-section (3) of section 116-A of the Act not only provides a period of limitation for such an appeal, but also the circumstances under which the delay can be excused, indicating thereby that the general provisions of the Limitation Act are excluded. There are two answers to this argument. Firstly, section 29(2)(a) of the Limitation Act speaks of express exclusion but there is no express exclusion in sub-section (3) of section 116-A of the Act; secondly, the proviso from which an implied exclusion is sought to be drawn does not lead to any such necessary implication. The proviso has become necessary, because, if the proviso was not enacted, section 29(2)(b) of the Limitation Act would have excluded the operation of section 5 of the Limitation Act, with the result that even if a sufficient cause for the delay existed, the High Court would have been helpless to excuse the delay. I, therefore, hold that the proviso to sub-section (3) of section 116-A of the Act only restores the power denied to the Court under section 29(2)(b) of the Limitation Act.

Lastly, it is contended that section 12(2) of the Limitation Act, on its express terms, would not apply to an appeal to the High Court against an order of the Election Tribunal under section 98 of the Act. Elaborating the argument it is said that in order to exclude the time for obtaining a copy of the order appealed against, the original shall be a decree or order within the meaning of section 12(2) or judgment within the meaning of section 12(3) of the Limitation Act and the order under section 98 of the Act is neither a decree nor an order or a judgment within the meaning of the said sub-sections of section 12 of the Limitation Act. Reference is made to the definitions of decree, judgment and order in sub-sections (2), (9) and (14) of section 2 of the Code of Civil Procedure, respectively, and it

is contended that the order under section 98 of the Act does not fall under any of the said three expressions as defined therein. Under sub-section (9) of section 2 of the Code of Civil Procedure, "judgment" is defined to mean the statement given by the judge of the grounds of a decree or order. Sub-section (14) of section 2 of the said Code defines "order" to mean the formal expression of any decision of a civil court which is not a decree. It follows from the said definitions that judgment is a statement of the reasons given by the judge and order is the formal expression of his decision. Section 104 of the said Code says, "An appeal shall lie from the following orders, and save as otherwise expressly provided in the body of this Code or by any law for the time being in force, from no other orders." Order XX of the Code deals with the manner of pronouncing a judgment and decree. Under O.XX. r. 20, of the Code "Certified copies of the judgment and decree shall be furnished to the parties on application to the Court, and at their expense." Under section 141 of the Code, "The procedure provided in this Code in regard to suits shall be followed as far as it can be made applicable, in all proceedings in any Court of civil jurisdiction". The effect of these provisions is that a decree is a formal expression of adjudication conclusively determining the rights of parties with regard to all or any of the controversies in a suit, whereas order is a formal expression of any decision of a civil court which is not a decree. Judgment is a statement given by the judge of his grounds in respect of a decree or order. Ordinarily judgment and order are engrossed in two separate documents. But the fact that both are engrossed in the same document does not deprive the statement of reasons and the formal expression of a decision of their character as judgment or order, as the case may be.

With this background let me look at the provisions of section 116-A of the Act. Under sub-section (1) thereof, an appeal shall lie from every order made by a Tribunal under section 98 or section 99 to the High Court of the State in which the Tribunal is situated. Under section 98 of the Act,—

"At the conclusion of the trial of an election petition the tribunal shall make an order—

- (a) dismissing the election petition; or
- (b) declaring the election of all or any of the returned candidates to be void; or
- (c) declaring the election of all or any of the returned candidates to be void and the petitioner or any other candidate to have been duly elected."

Part VI of the Act provides for disputes regarding elections; Chapter III thereof prescribes the procedure for the trial of election petitions, and section 90 therein says:

- "(1) Subject to the provisions of this Act and of any rules made thereunder, every election petition shall be tried by the Tribunal, as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, 1908, to the trial of suits."

There is no provision in the Act defining how the decision should be given. It could not have been the intention of the Legislature that the Tribunal need not give the statement of reasons for its decision. As under section 90 of the Act the Election Tribunal is directed to try election petitions as nearly as may be in accordance with the procedure applicable under the Code of Civil Procedure, it is the duty of the Election Tribunal to give a statement of reasons for its decision. It is open to it to issue two documents—one embodying the reasons for the decision and the other, the formal expression of its decisions: the former will be its judgment and the latter, its order. It may issue both in the same document in which case the judgment as well as the order is embodied in the same document. If so it is manifest that an order made under section 98 of the Act, if it contains also the reasons for it, is a composite document satisfying the definition of a judgment as well as that of an order and thereby attracting the relevant provisions of section 12 of the Limitation Act.

That apart, a different approach to the question raised leads to the same conclusion. Section 12(2) of the Limitation Act does not say that the order mentioned therein shall be only such order as defined in the Civil Procedure Code. If a statute provides for the making of an order and confers a right of appeal to an aggrieved party against that order within a prescribed time, sub-section (2) of section 12 of the Limitation Act says that the time requisite for obtaining a copy of such order shall be excluded. The Act empowers the Tribunal to make an order and gives a right of appeal against that order to the High Court. Section 12(2) of the Limitation Act is, therefore, directly attracted without any recourse

to the definition of an order in the Code of Civil Procedure. In either view, section 12 of the Limitation Act applies and, therefore, the time taken for obtaining a copy of the said order shall be excluded in computing the period of limitation.

In the result, the appeal falls and is dismissed with costs.

Sd./- SUBBA RAO, J.

Dated the December 20, 1963.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. 815 OF 1963

Vidyacharan Shukla—Appellant.

Versus

Khubchand Baghel and Others—Respondent.

JUDGMENT

Raghubar Dayal, J.

I agree that the appeal be dismissed, but for different reasons;

I am of opinion that the first part of section 29(2) of the Limitation Act applies only when a special or local law prescribes a period of limitation for an appeal and when for that particular appeal a period of limitation is prescribed in the First Schedule to the Limitation Act, as omission to prescribe a period of limitation cannot be equated with the prescribing of any positive period of limitation within which the appeal should be filed, and that the second part of section 29(2) of the Act is independent of the first part and can apply to cases to which the first part does not apply. I am also of opinion that article 156 of the First Schedule applies to appeals which are instituted in view of the right of appeal conferred by any special or local law and not in pursuance of the provisions of section 96, C.P.C. I do not elaborate my views as I agree with what my learned brother Mudholkar, J., has said in construing the first part of section 29(2) of the Limitation Act and article 156 of the First Schedule and agree with my learned brother Ayyangar, J., with respect to his construction of the second part of section 29(2).

The proviso to section 116(a) of the Representation of the People Act gives discretion to the High Court to entertain an appeal presented after the expiry of 30 days from the date of the order of the Tribunal in case it is satisfied that there is sufficient cause for the late presentation of the memorandum of appeal. The respondent has applied in this Court for the condonation of the delay in filing the appeal in the High Court. In the circumstances of the case, I consider it a fit opinion in the High Courts regarding the applicability of section 12 of the Limitation Act to such appeals. The delay was of a few days. The Election Tribunal passed the order on January 5, 1963 and the appeal was filed on February 11, 1963.

A party can reasonably desire to obtain a copy of the judgment for deciding after studying it, whether it is worthwhile appealing against it, and if so, on what grounds. I am satisfied that there was sufficient cause for the respondent's not presenting the appeal within the period of limitation. I therefore condone the delay and confirm the order of the High Court.

RAGHUBAR DAYAL, J.

December 20, 1963.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. 815 OF 1963

Vidhacharan Shukla—Appellant.

Versus

Khubchand Baghel and Others—Respondent.

JUDGMENT

Ayyangar, J.

We have had the advantage of perusing the judgment of our brother Subba Rao, J. and we agree with him that the appeal should be dismissed.

The justification for this separate judgment, however, is because of our inability to agree with him in his construction of the relative scope of the two limbs of section 29(2) of the Indian Limitation Act.

The facts of the case have been set out in detail in the judgment of Subba Rao, J. and it is therefore unnecessary to repeat them. There were three principal points that were urged before us on either side which require to be considered and all of them turn on the proper construction of section 29(2) of the Indian Limitation Act which we shall for convenience set out here:

"29. (2) Where any special or local law prescribes for any suit, appeal or application a period of limitation different from the period prescribed therefor by the first schedule, the provisions of section 3 shall apply, as if such period were prescribed therefor in that schedule, and for the purpose of determining any period of limitation prescribed for any suit, appeal or application by any special or local law—

(a) the provisions contained in section 4, sections 9 to 18, and section 22 shall apply only in so far as, and to the extent to which, they are not expressly excluded by such special or local law; and

(b) the remaining provisions of this Act shall not apply."

The learned Judges of the High Court have proceeded on the basis that section 29(2)(a) applies to the case of appeals preferred under section 116-A of the Representation of the People Act, 1951 and on that footing have held that the appeal presented to them by the respondent was within time if computed after making the deductions permitted by section 12 of the Limitation Act. It is the correctness of this view that is challenged before us.

Proceeding now to deal with the question whether the terms of section 29(2) are apt to take in appeals under the Representation of the People Act, the first matter to be considered necessarily is whether that Act is a "Special or Local law" within the opening words of the sub-section. As to this, however, Mr. Pathak raised no dispute and he conceded that section 116A was such a "special or local law". That this "special or local law" prescribes "for an appeal a period of limitation" is also evident. The first point of controversy, however, has arisen as to whether "the period of limitation prescribed by the Special or Local Law is different from the period prescribed therefor by the first schedule". The contention urged strenuously before us by Mr. Pathak, the learned Counsel for the appellant was that there would be "a different period" only where for the identical appeal (to refer only to that proceeding with which we are immediately concerned) for which a period of limitation has been prescribed by the Special or Local Law, a period is prescribed by first column of the First Schedule, and there is a difference between the two periods. It was his further contention that where the Indian Limitation Act made no provision for such an appeal, section 29(2) and the provision contained in its (a) and (b) were inapplicable. There have been several decisions on this point but it is sufficient to refer to the decision of the Bombay High Court in *Canara Bank Ltd., Bombay v. The Warden Insurance Co. Ltd., Bombay*<sup>(1)</sup> where Chagla, C. J. repelled this construction and held that even where there was no provision in the First Schedule for an appeal in a situation identical with that for which the Special Law provides, the test of "a prescription of a period of limitation different from the period prescribed by the First Schedule is satisfied. This Court in *State of U.P. v. Smt. Kaushliya etc.*<sup>(2)</sup> upheld this construction and approved the judgment of Chagla, C. J. in the *Canara Bank* case. Apart from the decision of this court, we consider the reasoning of Chagla, C. J. to the inexceptionable and we agreed with Subba Rao, J. in holding that the requirement of a prescription by the Special Law "of a period different" from that prescribed by the First Schedule is satisfied in the present case.

The next point was one that arose on the submission of Counsel for the respondent and it was this. Assume that the construction of the words "different from" urged by the appellant were accepted, and this requirement would be satisfied only if the First Schedule made provision for an identical appeal as that under the Special Law, still it was submitted by the respondent that even

(1) I.L.R. 1952 Bomb. 1083.

(2) Criminal Appeals 21—26 of 1962 (Not yet reported), decided on October 1, 1963.

this was satisfied in this case. For this purpose he relied on Article 156 of the First Schedule which runs:

"Description of appeal	Period of limitation	Time from which period begins to run
156.—Under the Code of Civil Procedure, 1908, to a High Court, except in the cases provided for by article 151 and article 153.	Ninety days	The date of the decree or order appealed from."

The argument was that though the right of appeal in the case before us was conferred by section 116A of the Representation of the People Act and it was by virtue thereof that the appeal was filed by the respondent to the High Court, it was still an appeal "under the Code of Civil Procedure, 1908, to a High Court". For this submission learned Counsel relied principally on two decisions—one of the Calcutta and the other of the Madras High Court, and they undoubtedly support him. In *Aga Mohd. Hamdani v. Cohen & Others* <sup>(3)</sup> as well as in *Ramaswami Pillai v. Deputy Collector of Madura* <sup>(4)</sup> which followed it, the Court held that to attract this article it was not necessary in order to be an "appeal under the Code of Civil Procedure" within the meaning of those words in Article 156 that the right to prefer the appeal should be conferred by the Code of Civil Procedure but that it was sufficient if the procedure for the filing of the appeal and the powers of the Court for dealing with the appeal were governed by that Code. For adopting this construction the Court relied on the reference in Article 156 to Article 151. Article 151 dealt with appeals to the High Court from judgments rendered on the original side of that Court. The right to prefer these appeals was conferred by the Letters Patent constituting the respective High Courts and not by the Code of Civil Procedure, though the Code of Civil Procedure governed the procedure, jurisdiction and powers of the Court in dealing with the appeals so filed. There would have been need therefore to except cases covered by Article 151 only if the words "under the Code of Civil Procedure" were understood as meaning appeals for the disposal of which the provisions of the Code of Civil Procedure was made applicable. We might mention that besides the Calcutta and the Madras High Courts a Full Bench of the Allahabad High Court also has in *Dropadi v. Hira Lal* <sup>(5)</sup> adopted a similar construction of the Article, the learned Judge pointing out that several Indian enactments, among them the Indian Succession Act, the Probate and Administration Act, the Land Acquisition Act and the Provincial Insolvency Act, proceeded on the basis of a Legislative practice of conferring rights of appeal under the respective statutes without prescribing any period of limitation within which the appeal should be preferred, but directing the application of the provisions of the Civil Procedure Code to such appeals, the intention obviously being that Article 156 would furnish the period of limitation for such appeals. We consider that these decisions correctly interpret Article 156 and, in any event, we are not prepared to disturb the decisions which have stood for so long and on the basis of the correctness of which Indian legislation has proceeded.

Mr. Pathak drew our attention to some decisions in which a different construction was adopted of the word "under" a particular enactment occurring in other Articles of the Limitation Act and in particular some dealing with appeals in certain criminal matters. In them the word "under" was understood as meaning "by virtue of". He was, however, unable to bring to our notice any decision in which the construction adopted of Article 156 which we have set out has been departed from. In the cases dealing with the words "under the Criminal Procedure Code" which he placed before us, the situation would obviously be different, since the indication afforded by the mention of Article 151 in Article 156 does not figure in the Articles dealt with. Therefore that would be a circumstance pointing to a different result.

If the construction adopted of Article 156 in the Calcutta and Madras decisions to which we have referred, were upheld, there could be no controversy that an appeal under section 116A of the Representation of the People Act would be

<sup>(3)</sup> I.L.R. 13 Cal. 221.

<sup>(4)</sup> I.L.R. 43 Mad. 51.

<sup>(5)</sup> I.L.R. 34 Allahabad 498.

"under the Code of Civil Procedure", for section 116A(2) enacts, to read the material portion:

"116A(2) The High Court shall, subject to the provisions of this Act, have the same powers, jurisdiction and authority, and follow the same procedure, with respect to an appeal under this Chapter as if the appeal were an appeal from an original decree passed by a civil court situated within the local limits of its civil appellate jurisdiction;  
....."

in this view even on the narrowest construction of the words "different from those proscribed therefor in the first schedule" occurring in the opening part of section 29(2), the exclusion of time provided for by Article 12 of the Limitation Act would be permissible in computing the period of limitation for filing the appeal to the High Court, in the case before us.

The last point which remains for consideration is one which would be material only in the event of the two points we have already dealt with being decided differently. This relates to the relationship or inter-connection between the first and second limbs of section 29(2) of the Limitation Act. The reason why we are dealing with it is because of our inability to agree with the construction which our learned Brothers Subba Rao and Mudholkar, JJ., have placed on this feature of the sub-section. Sub-section (2), it would be seen, consists of two parts. The first sets out the conditions to which the special law should conform in order to attract section 3 and that part ends with the words "As if such period were prescribed therefor in that schedule". This is followed by the conjunction 'and' and that word by the second part reading "for the purpose of determining any period of limitation prescribed for any suit, appeal or application by any special or local law—

(a) the provisions contained in section 4, sections 9 to 18, and section 22 shall apply only in so far as, and to the extent to which, they are not expressly excluded by such special or local law; and

(b) the remaining provisions of this Act shall not apply".

The question that has been debated before us is whether the condition postulated by the first limb, namely, the special or local law prescribing a period of limitation for a suit, appeal, etc., "different from the period prescribed therefor by the first schedule has to be satisfied in order to render the provisions of clause (a) applicable. If the conjunction 'and' was used for the purpose of indicating that the two parts were cumulative, that is, if the two parts operated in respect of the same set of circumstances, then unless the opening words of sub-section (2) were satisfied there would be no basis for the application of clause (a) to the period prescribed for a suit, appeal or application applicable by the special or local law. If, on the other hand, the two parts of the sub-section could be read independently as if they made provision for two separate situations, the result would be that the words starting from "for the purpose of determining any period of limitation prescribed for any suit, appeal or application by any special or local law" followed by clauses (a) and (b) would be an independent provision unrelated to the first part and therefore could operate unhampered by the condition set out in the first part. In other words, if the latter construction were adopted for every suit, appeal or application for which a period of limitation was prescribed by a special or local law, the provisions in sections 4, 9 to 18 and 22 would apply unless excluded. Mr. Pathak urged that the conjunction 'and' could in the context be construed only as rendering the second limb a part and parcel of the first, so that unless the conditions laid down by the opening words of the sub-section were satisfied, the provisions of the Limitation Act set out in clause (a) would not be attracted to "determine the period of limitation" prescribed by the special or local law. The question of the import and function of the conjunction 'and' was the subject of elaborate consideration by a Full Bench of the Allahabad High Court in a decision in *Sehat Ali Khan v. Abdul Qawi Khan* (6). The majority of the learned Judges held that the two parts of the sub-section were independent and that for the purpose of determining any period of limitation prescribed for any suit, appeal or application by any special or local law, clause (a) would apply unless excluded. Raghubar Dayal, J., then a Judge of that Court, however, dissented from this view and held that the entire sub-section (2) had to be read as an integrated provision and that the conjunction 'and' connected the two parts and made it necessary for attracting clause (a) that the conditions

(6) I.L.R. 1956 (2) Allahabad 252.

laid down by the opening words of sub-section (2) should be satisfied. Mr. Pathak recommended for our acceptance the dissenting judgment of Dayal, J. We consider that the view expressed by Raghubar Dayal, J. as to the interrelation of the two parts of the sub-section reflects correctly our own construction of the provisions. Raghubar Dayal, J. has approached this question of construction from several angles including the grammar of the passage. Without going into any of them, we would rest our decision on a shorter ground. In order that the second part might be held to be independent of the first, the first part should be itself be complete and be capable of operating independently. Unless this test were satisfied, the conjunction 'and' would have to be read as importing into what follows it, the conditions or considerations set out earlier as otherwise even the first part would be incomplete. Let us now see whether the first part could function without the second. The first part reads "where any special or local law prescribes for any suit, appeal or application a period of limitation from the period prescribed by the first schedule the provision on section 3 shall apply as if that period was prescribed therefore in that schedule". The question is what this standing by itself would signify. If the conditions prescribed by the opening words were satisfied section 3 of the Limitation Act would be attracted. Section 3 reads,

"Subject to the provisions contained in sections 4 to 25 (inclusive), every suit instituted, appeal preferred, and application made, after the period of limitation prescribed therefor by the first schedule shall be dismissed, although limitation has not been set up as a defence.  
....."

In other words, if the special or local law prescribed a period of limitation different from that prescribed by the first schedule by the application of the first part of sub-section (2), the court is enabled to dismiss suits, appeals and applications filed beyond time. If this is the only effect it would be seen that the provision is inane and redundant, because even without it, by the very prescription of a period of limitation the jurisdiction of the Court to entertain the suit, appeal etc. would be dependent on the same being filed in time.

It is possible, however, to construe the reference to section 3 in section 29(2) to mean that the power to dismiss the suit, appeal etc. if filed beyond the time prescribed, is subject to the modes of computation etc. of the time prescribed by applying the provisions of sections 4 to 25 which are referred to in the opening words of section 3. On this construction where a case satisfies the opening words of section 29(2) the entire group of sections 3 to 25 would be attracted to determine the period of limitation prescribed by the special or local law. Now let us test this with reference to the second limb of section 29(2) treating the letter as a separate and independent provision. That part starts with the words "for determining any period of limitation prescribed for any suit, appeal or application by *any special or local law*" (italics ours). The words italicised being perfectly general, would manifestly be comprehensive to include every special or local law, and among these must necessarily be included such special or local laws which satisfy the conditions specified by the first limb of section 29(2). We then have this strange result that by the operation of the first part sections 3 to 25 of the Limitation Act are made applicable to that classes of special or local laws which satisfy the conditions specified by the first limb whereas by the operation of the second limb the provisions of sections 3, 5, 6 to 8 and 19 to 21 and 23 to 25 would not apply to the same class of cases. A construction which would lead to this anomalous result cannot be accepted and we, therefore, hold that subject to the construction we have put upon sub-section (2) of section 29 both the parts are to be read as one whole and that the words following the conjunction 'and' "for the purposes of determining any period of limitation" etc. attract the conditions laid down by the opening words of the sub-section.

As we have pointed out earlier, this does not affect the result. We agree that the appeal fails and we direct that it be dismissed with costs.

Sd/- B. P. SINHA, CJ.

Sd/- N. RAJAGOPALA AYYANGAR.

December 20, 1963.



IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. 815 OF 1963

Vidyacharan Shukla—Appellant.

*Versus*

Khubchand Baghal and Others—Respondent.

JUDGMENT

Mudholkar, J.

While I agree with my brother Subba Rao, J. that the appeal should be dismissed, I regret my inability to agree with all the reasons which he has given.

I need not recapitulate the facts which have been set out fully in the Judgment prepared by my learned brother but I would only state the points which we have to consider in this appeal. The point is whether for the purpose of computing the period of 30 days prescribed by section 116A(3) of the Representation of the People Act, 1951 under which an appeal can be preferred from the decision of the Election Tribunal, the provisions of section 12, sub-section (2) of the Limitation Act, whereunder the time requisite for obtaining a copy of the decree and the day on which the judgment complained of was pronounced can be excluded can be pressed in aid. It was contended before us that the appeal should be deemed to be one under the Code of Civil Procedure, in which case it would fall under article 156 of the first schedule to the Limitation Act, and that though a shorter period of limitation is prescribed for it by the Representation of the People Act the provisions of section 12(2) of the Limitation Act would be attracted by reason of the provisions of clause (a) of section 29(2). Reliance was placed in this connection on the first limb of section 29(2). Alternatively it was argued that the first limb of section 29, sub-section (2) of the Limitation Act would also apply to an appeal under the Representation of the People Act even though it does not fall under article 156 of the Limitation Act since a different period of limitation was prescribed for it from that prescribed for an appeal in the first schedule of the Limitation Act and that, therefore, clause (a) thereof would attract section 12(2) of the Limitation Act. Finally it was argued that even if the appeal cannot be regarded as one falling within the first limb of section 29(2), clause (a) of sub-section (2) of section 12 would still apply because the second limb of sub-section (2) of section 12 is wide enough in its ambit to include a suit, appeal or application for which no period of limitation is prescribed in the first schedule but a period of limitation has been prescribed by a special or local law. My learned brother has held in his judgment that an appeal provided for by section 116A of the Representation of the People Act would be an appeal under the Code of Civil Procedure to which and thus falls under the first column of article 156 of the first schedule of the Limitation Act. He has also held that the words "where any special or local law prescribes for any suit, appeal or application a period of limitation different from the period prescribed therefor by the first schedule" occurring in the first limb of sub-section 29 would include a suit or an appeal even though it is not of a type for which a period of limitation is prescribed in the first schedule because it is enough if the special law prescribes for such an appeal a period which is different from any period prescribed in the first schedule. I regret I am unable to agree with either of these views. Finally, however, my learned brother has construed the second limb of sub-section (2) of section 29 "and for the purpose of determining any period of limitation prescribed for any suit, appeal or application by any special or local law" as being wide enough to include a suit, appeal or an application under a special or local law which is of a type for which no period of limitation is prescribed in the first schedule. With this last conclusion I agree. In my judgment what he has said on the last point is enough for the purpose of disposing of the appeal in the way proposed by him. As, however, I do not agree with what he has said on the first two points I must briefly indicate my reasons for coming to different conclusions.

In support of the conclusion that article 156 applies, my learned brother has relied upon the decision in *Aga Mahomed Hamadani v. Cohen* <sup>(1)</sup> which was followed by the Madras High Court in *Ramasami Pillai v. The Deputy*

(1) (1886) I.L.R. 13 Cal. 221.

*Collector of Madura* (2). The first of these two cases was one from what was then British Burma. Under section 49 of the Burma Courts Act, 1875 (XVII of 1875) an appeal lay to the High Court from the decision in a suit or proceeding before the Recorder's Court in which the amount or value was not less than Rs. 3,000/- and was not more than Rs. 10,000/-. Section 9/ of that Act said; "save as otherwise provided by this Act, the Code of Civil Procedure shall be, and shall, on and from the 15th day of April, 1872, be deemed to have been in force throughout British Burma". Section 540 of the Code of Civil Procedure, 1882 which was in force at that time read thus:

"Unless when otherwise expressly provided by this Code or by any other law for the time being in force, an appeal shall lie from the decrees or from any part of the decrees of the Courts exercising original jurisdiction to the Courts authorised to hear appeals from the decisions of those Courts."

The question which the High Court had to consider in that case was whether the appeal could be said to be in time as it fell to be governed by article 156 of the first schedule to the Limitation Act. For deciding this matter the High Court proceeded to consider what was meant by an appeal under the Code of Civil Procedure. While dealing with the matter the High Court observed:

"A particular appeal was given by the Burma Courts Act and the Burma Courts Act is still the only Act which prescribes to what Court this appeal shall lie. If it had not been given by the Burma Courts Act then section 540 of the Civil Procedure Code would have been sufficient to give it, provided that some Court was by some enactment provided as the proper Court to hear the appeal. The procedure in appeals in every respect is governed by the Code of Civil Procedure. The Limitation Act, Schedule I, Article 156 when it speaks of the Civil Procedure Code is, on the face of it, speaking of a Code which relates to procedure, and does not ordinarily deal with substantive rights; and the natural meaning of an appeal under the Civil Procedure Code appears to us to be an appeal governed by the Code of Civil Procedure so far as procedure is concerned."

Referring to this, my learned brother has observed:

"It is manifest from this passage that the learned Judges did not repel the contention on the ground that the right of appeal was conferred by section 540 of the Code of Civil Procedure, but expressly for the reason that the natural meaning of the relevant expression in article 156 of Schedule I of the Limitation Act was that the appeal mentioned therein was one governed by the Code of Civil Procedure."

That is true. It is, however, not material for my purpose to consider whether or not the High Court was right in holding that the appeal before it was under the Burma Courts Act. I would assume that the High Court was right but it is necessary to point out that the provisions of section 29 of the Limitation Act as then in force did not come for consideration in that case. The question would then be whether its view that an appeal, though not provided by the Code of Civil Procedure would yet be deemed to be an appeal under the Code for the purpose of Article 156 of the Limitation Act, was right. With respect I do not think that there was any warrant for holding that an appeal which was not given by the Code would still be one under the Code thereby because the procedural provisions thereof would govern its course. Where the right of appeal is given by some other law, the appeal must be regarded as one under that law and not under the Code. I see no valid reason for construing the words 'under the Code of Civil Procedure' as meaning 'governed in the matter of procedure by the Code of Civil Procedure'. For, that is, in effect what the High Court has done in this case. By reading the article in the way it has done the High Court has virtually construed the only provision in the Limitation Act dealing with normal civil appeals to the High Court as a residuary article which would take in all appeals by whatever law they may be provided, merely because the procedure relating to appeals contained in the Code of Civil Procedure was applicable to them. This would in my judgment go against the plain intentment of the Legislature. Indeed, while a right to institute a suit or make an application is a wider kind of right, there can be no right of appeal unless some statute confers it. That is why the Legislature has expressly enacted residuary provisions, Articles 120 and 180, for suits and appeals respectively in the Limitation Act. The first schedule is divided into three divisions.

Article 156 is one of the eight articles contained in the second division which deals with appeals. The first division of that schedule deals with suits. There, provision is made for a variety of suits including some under special laws, but it was realised that it could not be exhaustive. Therefore, article 120 was provided therein, which deals with "suits for which no period of limitation is provided elsewhere in this schedule." The third division of the first schedule deals with applications of different kinds. Article 181 makes provision for applications for which no period of limitation is prescribed elsewhere in the schedule. In the second division, however, which deals with appeals, there is no provision analogous to article 120 and article 181. Four of the eight articles deal with appeals under the Code of Criminal Procedure and four with appeals other than those under the Code of Criminal Procedure. As already stated, only one of these articles deals with normal civil appeals to the High Court, namely, article 156. It is not couched in language similar to that used in article 120 and article 181. Would we then be justified in reading the first column of article 156 to mean the same thing as is said in the first column of article 120 or 181? The Legislature knew that appeals have been provided by various special laws; but it made no provision for such appeals in this schedule apparently for the reason that a law which confers a right of appeal is expected to provide for the period of limitation for such an appeal. That seems to be the explanation for the absence of a residuary provision for appeals.

The first difficulty, therefore, in interpreting article 156 in the way contended for by the respondents is that where a different period of limitation for appeal is expressly provided by a special law article 156 will not in terms be attracted. To bring such an appeal under it would clearly go against the express intention of the Legislature which was to confine that article to appeals under the Code of Civil Procedure. The next difficulty is that the entry deals with appeals "under" the Code of Civil Procedure and not appeals arising out of proceedings to which the Code of Civil Procedure applies. Nor again, does it include an appeal which is only deemed to be under the Code of Civil Procedure. Be it noted that so far as proceedings under the Representation of the People Act are concerned, the whole of the Code of Civil Procedure does not apply but only so much of it as is expressly made applicable by the provisions of the Representation of the People Act. It was said that if the provisions of O. XLI of the Code of Civil Procedure were not applicable to an appeal under the Representation of the People Act there would be no provision whereunder the party could at all file an appeal. It seems to me, however, that there can be no difficulty at all in this matter as every High Court has made rules partly under the Constitution and partly in exercise of its inherent power to make suitable provisions in regard to this and allied matters. The Calcutta High Court, however, does not appear to have given the full consideration in *Cohen's case* <sup>(1)</sup> to the ambit of article 156 and that is another reason why I find myself unable to accept the correctness of the view it has taken in that case.

It was then said that the view should be accepted on the ground of *stare decisis*. In this connection it was pointed out that so far no court has dissented from that view and indeed the view was fully accepted in *Ramaswami Pillai's case* <sup>(2)</sup> by the Madras High Court. In so far as the principle of *stare decisis* is concerned it is nothing more than, as observed by Dowrick in Justice. According to the English Common Lawyers (1961 ed. p. 195) a precipitate of the notion of legal justice. In other words it is the principle that judicial decisions have a binding character. But in India the position is not quite the same. Here the decision of a High Court is not even always binding upon it in the sense that it can be reconsidered by a full bench. No doubt its decision may bind all courts subordinate to it as also all Judges sitting singly or in division benches of the High Court. It is also true that a decision of a Division Bench of a High Court is binding on every other Division Bench of that High Court but there again there have been cases where one Full Bench has reconsidered the decision of an earlier Full Bench. In any case the decision of a High Court has no more than persuasive character in so far as this Court is concerned. In that view the decision of the Calcutta High Court, even though it may not have been dissented from since the time it was rendered, cannot, in the proper sense of the term be regarded as *stare decisis*. What could be *stare decisis* in this Court would be its own previous decisions. But even here instances are not wanting where, unlike perhaps the House of Lords, we have considered ourselves free to go back on previous decisions. (See *The Bengal Immunity Company Limited v. The State of Bihar & ors.* <sup>(3)</sup>) <sup>3A</sup>. Finally, even where a decision has not been dissented from for a long time, but has on

<sup>3A</sup> See Footnote (3) at p. 209, Allen, Law in the Making, 5th Edn.

<sup>(3)</sup> [1955] 2 S.C.R. 603.

the other hand been followed, it is not entitled to be treated as immutable, particularly where it deals only with a question appertaining to the adjective law, such as the limitation for an appeal. There may be a great deal to be said in favour of not disturbing even erroneous decisions affecting substantive rights to property which have stood undisturbed for a long time on the ground that such a course may unsettle existing titles to property. But this or similar considerations which would justify leaving such decisions undisturbed would not stand in the way of over-ruling an erroneous decision on a matter appertaining to the adjective law however ancient the decision may be. Therefore, I do not feel myself persuaded to hold that the present appeal can be regarded as of a type falling within the first column of article 156 of the first schedule to the Limitation Act.

In order to deal with the second ground given by my learned brother it is necessary to reproduce the provisions of section 29, sub-section (2) of the Limitation Act. They run thus:

"Where any special or local law prescribes for any suit, appeal or application a period of limitation different from the period prescribed therefor by the First Schedule, the provisions of section 3 shall apply, as if such period were prescribed therefor in that Schedule, and for the purpose of determining any period of limitation prescribed for any suit, appeal or application by any special or local law—

- (a) The provisions contained in section 4, sections 9 to 18, and section 22 shall apply only in so far as, and to the extent to which, they are not expressly excluded by such special or local law; and
- (b) the remaining provisions of this Act shall not apply."

While expressing the view that the Legislature has not expressed itself happily while enacting this provision he has agreed with the view taken in *Canara Bank Ltd. v. The Warden Insurance Co. Ltd., Bombay* <sup>(4)</sup>, which was followed by the High Court of Madhya Pradesh in *Beharilal Chaurasiva v. Regional Transport Authority* <sup>(5)</sup>. In that case the Bombay High Court has held that article 156 is attracted on the ground that the period provided by the special law is different from that contained in the first schedule. With great respect to the learned Judges, I find it difficult to strain the language used in the first limb of section 29(2) in this manner. The Legislature has in clear terms spoken of cases in which a special or local law has prescribed for a suit, appeal or an application a period of limitation "different" from that prescribed by the first schedule. Now, the governing words are "suit, appeal or application". Therefore, what has to be seen is whether a suit, appeal or application under a particular local or special law is of a kind similar to one for which a period of limitation is prescribed in the first schedule. The first limb of sub-section (2) of section 29 is concerned only with proceedings of this kind, that is, proceedings under special or local law for which a period of limitation is provided in the first schedule. If for such a proceeding the period to be found in the first schedule is different from that prescribed under a special or local law certain consequences will follow under the provision. I do not think that any inconvenience would be caused by giving a literal and natural interpretation to the expression used by the Legislature in the first portion of sub-section (2) of section 29 because cases of other kind can easily come under the second portion thereof.

Since I agree with my learned brother about what he has said regarding the second portion of the limb of sub-section (2) of section 29 the appeal must be dismissed with costs as proposed by him.

Sd./- J. R. MUDHOLKAR, J.

December 20, 1963.

[No. 82/258/62.]

(4) I.L.R. 1952 Bomb. 1083.

(5) A.I.R. 1961 M.P. 75.

**S.O. 1520.—**

**BEFORE THE ELECTION TRIBUNAL, GORAKHPUR**

**ELECTION PETITION No. 304 OF 1962**

**Sri Shibban Lal Saksena—Petitioner.**

**Vrs.**

**Sri Mahadeo Prasad—Respondent.**

Whereas an application for leave to withdraw the Election Petition No. 304 of 1962 (Sri Shibban Lal Saksena Vrs. Sri Mahadeo Prasad) pending before this Tribunal has been presented by the above-named petitioner under sub-section 1 of Section 109 of the Representation of the People Act, 1951;

Now, therefore, the Election Tribunal in pursuance of the provisions of sub-section 2 of Section 109 of the said Act, hereby publishes this notice along with a copy of the aforesaid application for leave to withdraw the Election Petition and fixes the 7th May, 1964, for the hearing of the aforesaid application at 10-30 A.M. on the said date or as soon thereafter as the business of the Tribunal may permit.

**BEFORE THE ELECTION TRIBUNAL, GORAKHPUR**

**ELECTION PETITION No. 304 OF 1962**

**Sri Shibban Lal Saksena—Petitioner.**

**Vrs.**

**Sri Mahadeo Prasad—Respondent.**

The petitioner begs to submit as follows:—

1. That in view of the fact that he has been already elected to the U.P. Assembly and because the trial of the petition and its appeals before the High Court and the Supreme Court which are bound to be filed in the case from either side, will naturally take another two years, by which time the next General Election to Parliament will have come quite near, he has decided to withdraw the Election Petition.

It is, therefore, prayed that the petitioner be allowed to withdraw the election petition in accordance with law and no order be made as to costs.

**Sd./- SHIBBAN LAL SAKSENA,**

**Petitioner.**

**Dated April 2, 1964.**

**Sd./- C. P. SRIVASTAVA,**

**2-4-1964.**

**Costs given up.**

**Sd./- KRISHNA DEV PRASAD,**

**Sd./- MAHADEO PRASAD,**

**2-4-1964.**

**Sd./- R. K. SIRCAR.**

**Member,**

**21-4-1964.**

**[No. 82/304/62/10531.]**

**By order,**

**PRAKASH NARAIN, Secy.**

# **MINISTRY OF HOME AFFAIRS**

**New Delhi, the 28th April 1964**

**S.O. 1521.—**In pursuance of clause (1) of article 239 of the Constitution and in supersession of the notification of the Government of India in the late Home Department No. F. 126/37-Pub. dated the 1st April 1937 in so far as it relates to discharge of functions under the Societies Registration Act, 1860 (21 of 1860) by the Chief Commissioner of the Andaman and Nicobar Islands, and also in partial

modification of the notification of the Government of India in the Ministry of Home Affairs S.R.O. No. 2536 dated the 1st November 1956, the President hereby directs that, subject to his control and until further orders, the Chief Commissioner of the Union territory of the Andaman and Nicobar Islands, shall exercise the powers, and discharge the functions, of the State Government under the Societies Registration Act, 1860 (21 of 1860), within his territorial jurisdiction.

[No. 2/3/64-UTL.]

*New Delhi, the 2nd May 1964*

**NOTICE UNDER PARA 4(2) OF THE OFFICIAL TRUSTEE BOMBAY (REORGANISATION) ORDER, 1963—VESTING OF TRUST PROPERTIES—REQUEST FROM MESSRS. THAKUR DASS & MADGAVKAR, SOLICITORS, BOMBAY, ON BEHALF OF THE ADVISERS OF THE PALANY CHARITABLE TRUST FUND FOR THE TRANSFER OF THE TRUST FROM THE OFFICIAL TRUSTEE, GUJARAT TO THE OFFICIAL TRUSTEE, MAHARASHTRA.**

**S.O. 1522.**—Whereas an application has been made to the Government of India by Messrs. Thakurdass and Madgavakar, Solicitors, Bombay on behalf of the advisers of the 'Palany Charitable Trust Fund' for the transfer of the trust properties from the Official Trustee, Gujarat to the Official Trustee, Maharashtra;

Now, therefore, in pursuance of paragraph 4(2) of the Official Trustee, Bombay (Reorganisation) Order, 1963, all persons interested in the said Trust properties who desire to be heard, are hereby called upon to write to the Secretary, Ministry of Home Affairs, New Delhi, on or before the 10th June, 1964.

[No. F. 8/15/63-SR(R).]

K. R. PRABHU, Dy. Secy.

## **MINISTRY OF STEEL, MINES AND HEAVY ENGINEERING**

**(Department of Mines and Metals)**

*New Delhi, the 27th April 1964*

**S.O. 1523.**—Whereas by the notification of the Government of India in the late Ministry of Mines and Fuel S.O. No. 220, dated the 16th January, 1963 under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in the lands in the locality specified in the Schedule appended to that notification;

And whereas the Central Government is satisfied that coal is obtainable in the whole or any part of the said lands;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire—

- (a) the lands measuring 0.88 acres (approximately or 0.36 hectares approx.) described in Schedule A appended hereto; and
- (b) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 198.00 acres (approx.) or 80.10 hectares (approx.) described in Schedule B appended hereto.

The plans of the area covered by this Notification may be inspected in the Office of the Deputy Commissioner, Hazaribagh or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the National Coal Development Corporation Ltd. (Revenue Section), Darbhanga House, Ranchi.

Any person interested in the aforesaid lands may, within 30 days of the issue of this notification, file objection to the acquisition of the whole or any part of the land or of any rights in or over such lands to the Coal Controller, 1, Council House Street, Calcutta.

**SCHEDULE A**  
**ARGADA BLOCK EXTENSION**  
(Sub-Block B)

Drg. No. Rev/18/64  
Dated 15-2-1964.

(Showing lands to be acquired.)

**'All Rights'**

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Hesla	Mandu	138	Hazaribagh		Part
				TOTAL :—	0.88 Acres (Approx.)	
				Or	0.36 Hectares (Approx.)	

Plot Nos. to be acquired in village Hesla:

1(P) and 150(P).

**BOUNDARY DESCRIPTION:**

**E—L** line passes through Plot No. 150 in village Hesla and meets at point 'L'.

**L—K** line passes through Plot Nos. 150 and 1 in village Hesla (which is the part common boundary of Mining Right) and meets at point 'K'.

**K—F** line passes through Plot No. 1 in village Hesla [which is the part common boundary of Argada Sub-Block A (All Right) notified under Section 7(1) of the Coal Act *vide* S.O. No. 3044, dated 5th September 1963] and meets at point 'F'.

**F—E** line passes through Plot Nos. 1 and 150 in village Hesla (which is the part common boundary of Mining Right) and meets at point 'E'.

**SCHEDULE B**

(Showing lands where rights to mine, quarry, bore, dig and search for, win, work and carry away minerals are to be acquired.)

**'Mining Rights'**

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Hesla	Mandu	138	Hazaribagh		Part
2.	Monuan	"	139	"		"
3.	Chapri	"	140	"		"
				TOTAL :—	198.00 Acres (Approx.)	
				Or	80.19 Hectares (Approx.)	

Plot Nos. to be acquired in village Hesla:

1(P), 2, 3(P), 4(P), 150(P), 151(P), 961(P), 962, 963, 964 and 966(P).

Plot Nos. to be acquired in village Monuan:

47(P) and 120(P).

Plot Nos. to be acquired in village Chapri:

530(P), 611(P), 620(P), 720, 722 and 723.

**BOUNDARY DESCRIPTION:**

- A—B line passes along the part common boundary of villages Chapri and Argada and meets at point 'B'.
- B—C line passes along the part Eastern bank of the Nala in village Chapri and meets at point 'C'.
- C—D line passes along the part Eastern bank of the Nala in village Hesla and meets at point 'D'.
- D—E line passes along the Southern boundary of Plot No. 964 and through Plot Nos. 966, 961, 3, 4 and 150 in village Hesla and meets at point 'E'.
- E—F line passes through Plot Nos. 150 and 1 in village Hesla (which is the part common boundary of All Right) and meets at point 'F'.
- F—G—H—I—J—K lines pass along the part common boundary of Argada Sub-Block A (All Right) notified under Section 7(1) of the Coal Act *vide* S.O. No. 3044, dated 5th September 1963 in villages Hesla and Manuan and meet at point 'K'.
- K—L line passes through plot Nos. 1 and 150 in village Hesla (which is the part common boundary of All Right) and meets at point 'L'.
- L—M—N lines pass through Plot Nos. 150, 151, 150 and 1 in village Hesla and through Plot Nos. 120 and 47 in village Manuan and meet at point 'N'.
- N—A line passes through Plot No. 47 in village Manuan, through Plot No. 626 in village Chapri, through Plot No. 1 in village Hesla and again through Plot Nos. 626, 611 and 530 in village Chapri and meets at point 'A'.

[No. C2-20(10)/64.]

**ERRATUM***New Delhi, the 27th April 1964*

**S.O. 1524.**—In the notification of the Government of India, in the late Ministry of Mines and Fuel S.O. No. 3235, dated the 8th November, 1963 published at pages 4046-4047 in Part II, Section 3, Sub-section (ii) of Gazette of India, dated the 23rd November, 1963, at page 4047:

- (1) In the eleventh line, for "Fatraj Block" read "Jatraj Block".
- (2) In the eighteenth line, for "Nariabad" read "Naraibad".

[No. C2-22(18)/63.]

A. NABAR, Under Secy.

**(Department of Iron and Steel)***New Delhi, the 29th April, 1964.*

**S.O. 1525.**—/ESS. Comm/Iron and Steel-2(c).—In supersession of the Notification of the Government of India, in the Ministry of Steel, Mines and Fuel, No. S.R.O. 2041/ESS. Comm/Iron and Steel-2(c) dated the 11th June 1957, as amended from time to time and in exercise of the powers conferred by sub-clause (c) of clause 2 of the Iron and Steel (Control) Order, 1956, the Central Government hereby authorises the officers mentioned in column 2 of the schedule



annexed hereto, to exercise the powers of the Controller under the clause of the said order mentioned in column 3 thereof, within their respective jurisdictions :

SCHEDULE

Designations of Officers	Clauses under which they are authorised	
1	2	3
<b>Andhra Pradesh</b>		Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following :— (a) Registered Producers (b) Controlled Stockholders (c) Controlled Sources other than those functioning as scrap Merchants.
1. Director of Controlled Commodities, Andhra Pradesh.	4, 5, 10, 11, 12(1), 12(2), 14(1), 18, 20, 22, 23, 24(a), 24(b), 24(c), 24(d), 26(1) and 28.	
2. Director of Agriculture, Andhra Pradesh.	4, 5, 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(c), 24(d) and 28.	
3. Assistant Director—Steel, Andhra Pradesh.	4 and 5.	
4. All the District Agricultural Officers, Agricultural Department, Andhra Pradesh.	4, 5, 18 & 20.	
5. All Block Development Officers, Andhra Pradesh.	4, 5, 18 & 20.	
6. All Tahsildars in Andhra Pradesh.	4, 5, 18 & 20.	
<b>Assam</b>		Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following :— (a) Registered Producers (b) Controlled Stockholders (c) Controlled Sources other than those functioning as Scrap Merchants.
1. Director of Consumer Goods, Govt. of Assam, Shillong.	4, 5, 10, 11, 12(1), 12(2), 14(1), 18, 20, 22, 23, 24(a), 24(b), 24(c), 24(d), 26(1) and 28.	
2. All Deputy Commissioners and Sub-Divisional Officers in Assam	4, 5, 10, 22 and 28 (for Iron and Steel only.)	
3. The Director of Industries, Government of Assam, Shillong.	4, 5, 12(2), 18, 20 and 24(b), 24(c), and 24(d).	
<b>Bihar</b>		Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following :— (a) Registered Producers (b) Controlled Stockholders (c) Controlled Sources other than those functioning as Scrap Merchants

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Bihar

1. Additional Under Secretary, Department of Industries and Cooperation, Govt. of Bihar. 4, 5, 12(1), 12(2), 14(1), 18, 20, 24(a), 24(b), 24(c), 24(d), 26(1), 28.
2. Director of Industries Bihar, Patna. 4, 5, 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(c), 24(d) and 28 (for Iron and Steel and Scrap.)
3. Director of Agriculture, Bihar, Patna. 4, 5, 18, 20, 24(b), 24(c) and 24(d).
4. The Additional Director of Agriculture (Engg.) Bihar. 4, 5, 18, 20, 24(b), 24(c) and 24(d).
5. All District Agriculture Officers & Grow More Food Officers appointed by the Government of Bihar. 4, 5, 18, 20, 24(b), 24(c) and 24(d).
6. All District Magistrates in Bihar 4, 5, 18, 20 and 28 (for Iron and Steel and Scrap).
7. All Deputy Directors of Agriculture, Bihar. 4, 5, 18, 20, 24(b), 24(c) and 24(d).
8. Special Officer incharge Rationing, Govt. of Bihar, Patna. 5.
9. All Officers of the Bihar Civil Source (Executive Branch) exercising first class Magisterial Powers and all District Industry Officers in the Bihar State. 28(b)
10. Sub-Divisional Officers, Monghyr and Bhagalpur Districts, Bihar. 4 and 5.

Gujarat

Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following : —

- (a) Registered Producers
- (b) Controlled Stockholders
- (c) Controlled Sources other than those functioning as Scrap Merchants.

1. Controller of Iron and Steel, and Cement, Government of Gujarat, Ahmedabad. 4, 5, 10, 11, 12(1), 12(2), 14(1), 18, 20, 22, 23, 24(a), 24(b), 24(c), 24(d), 26(1) & 28.
2. Assistant Controllers of Iron and Steel and Cement, at Rajkot and Ahmedabad (Regional Offices at Rajkot and Ahmedabad). 4, 5, 11, 12(2), 18, 20, 23, 24(b), 24(c), 24(d) and 28 (or Iron and Steel and Scrap).
3. All Assistant Controllers of Iron and Steel and Cement attached to the Head Office at Ahmedabad (except Regional Offices at Ahmedabad and Rajkot). 4, 5, 18, 20, 24(b), 24(c) & 24(d).
4. All Collectors, Mahalkaris Mamlatdars and Block Development Officers in the State of Gujarat. 4 and 5.
5. Director of Industries, Government of Gujarat, Ahmedabad. 11, 12(2) and 28 (for Iron and Steel only).
6. All District Development Officers and Taluk Development Officers in the State of Gujarat. 4 and 5.

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# *Kerala*

Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following :—

- (a) Registered Producers
- (b) Controlled Stockholders
- (c) Controlled Sources other than those functioning as Scrap Merchants.

1. Director of Industries, and Commerce, Govt. of Kerala, Trivandrum. 4, 5, 10, 11, 12(1), 12(2), 14(1), 18, 20, 22, 23, 24(a), 24(b), 24(c), 24(d), 26(1) and 28.
2. Director of Agriculture, Government of Kerala, Trivandrum. 4, 5, 12(2), 18, 20, 24(b), 24(c) & 24(d).

# *Maharashtra*

Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following —

- (a) Registered Producers
- (b) Controlled Stockholders.
- (c) Controlled Sources other than those functioning as Scrap Merchants.

1. Controller of Iron and Steel and Cement, Govt. of Maharashtra. 4, 5, 10, 11, 12(1), 12(2), 14(1), 18, 20, 22, 23, 24(a), 24(b), 24(c), 24(d), 26(1) and 28.
2. Assistant Controllers of Iron and Steel and Cement, Nagpur and Poona. 4, 5, 11, 12(2), 18, 20, 23, 24(b), 24(c), 24(d) and 28 (for Iron and Steel and Scrap)
3. All Assistant Controllers of Iron and Steel and Cement in the State of Maharashtra (except at Nagpur and Poona). 4, 5, 18, 20, 24(b), 24(c) & 24(d).
4. Agricultural Iron and Steel Supply Officer, Government of Maharashtra, Bombay. 4, 5, 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(c), 24(d), and 28 (for Iron and Steel and Scrap)
5. All District Collectors in the State of Maharashtra. 4, 5, 10, 11, 12(2), 18, 20, 23 and 28 (for Iron and Steel and Scrap.)
6. All Mamlatdars and Mahalkaries, Naib Tahsildars in the State of Maharashtra. 4 and 5 in respect of non-agricultural quota.
7. Industries Commissioner, Government of Maharashtra. 11, 12(2) and 28 (for Iron and Steel only).
8. All Executive Officers and Block Development Officers in the State of Maharashtra. 4 and 5 in respect of Agricultural quota.

# *Madhya Pradesh*

Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following :—

- (a) Registered Producers
- (b) Controlled Stockholders
- (c) Controlled Sources other than those functioning as Scrap Merchants.

1. Director, Civil Supplies. 4, 5, 10, 11, 12(1), 12(2), 14(1), 18, 20, 22, 23, 24(a), 24(b), 24(c), 24(d), 26(1) and 28.

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<i>Madhya Pradesh</i> —contd.	<ol style="list-style-type: none"> <li>2. Deputy Directors of Civil Supplies.</li> <li>3. Assistant Directors of Civil Supplies.</li> <li>4. All Collectors in Madhya Pradesh.</li> <li>5. Iron &amp; Steel Controller, Madhya Pradesh.</li> <li>6. Director of Industries, Madhya Pradesh.</li> <li>7. Additional District Magistrate, Bhopal.</li> <li>8. Chief Executive Officers of Janpad in Madhya Pradesh.</li> <li>9. All Tehsildars in M.P.</li> <li>10. All Deputy Collectors incharge of Civil Supplies, Madhya Pradesh.</li> </ol>	<p>4, 5, 12(2), 18, 20, 24(b), 24(c) and 24(d).</p> <p>4, 5, 12(2), 18 and 20.</p> <p>4, 5, 18, 20 and 28 (for Iron and Steel and Scrap)</p> <p>4, 5, 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(c) and 24(d) and 28 (for Iron and Steel &amp; Scrap).</p> <p>4, 5, 11, 12(2), 18, 20, 23, 24(b), 24(c), 24(d), and 28 (for Iron and Steel and Scrap.)</p> <p>4, 5, 18, 20 and 28 (for Iron and Steel and Scrap.)</p> <p>4, 5, 18 and 20.</p> <p>4, 5, 18 and 20.</p> <p>4, 5, 18 and 20.</p> <p>4, 5, 18, 20 and 28.</p>
<i>Madras</i>		<p>Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following :—</p> <p>(a) Registered Producers.</p> <p>(b) Controlled Stockholders.</p> <p>(c) Controlled Sources other than those functioning as Scrap Merchants.</p> <ol style="list-style-type: none"> <li>1. Director of Industries and Commerce, Madras State, Madras.</li> <li>2. Director of Agriculture, Government of Madras.</li> <li>3. Joint Director of Industries and Commerce, (Engineering), Govt. of Madras, Madras.</li> <li>4. Joint Director of Agriculture (Engineering), Government of Madras, Madras.</li> <li>5. The Divisional Engineer, Transport and Machinery, Madras.</li> <li>6. Special Officer (Controls), Madras.</li> <li>7. Deputy Director (Sericulture).</li> </ol>
<i>Mysore</i>		<p>Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following :—</p> <p>(a) Register Products.</p> <p>(b) Controlled Stockholders.</p> <p>(c) Controlled Sources other than those functioning as Scrap Merchants.</p> <ol style="list-style-type: none"> <li>1. Iron and Steel Controller Government of Mysore, Bhadravati.</li> <li>2. Assistant Iron and Steel Controller, Government of Mysore, Bhadravati.</li> </ol>

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<i>Mysore</i>	3. Assistant Iron & Steel Controller, Government of Mysore, Hubli 4. Joint Registrar of Cooperative Societies (Credit), Government of Mysore	4, 5, 18 and 20. 4, 5, 18 and 20.
<i>Orissa</i>	1. Controller of Supplies, Government of Orissa, Cuttack 2. Director of Agriculture, and Food Production, Government of Orissa, Cuttack. 3. Civil Supplies Officer, Headquarters, Supply Department, Government of Orissa. 4. Director of Industries, Government of Orissa, Cuttack 5. All District Magistrates in the State of Orissa 6. Special Officer-cum-Under Secretary to the Government of Orissa, Supply Department, Bhubaneswar 7. All Civil Supplies Officers in the State of Orissa 8. All District Agricultural Officers in the State of Orissa. 9. Executive Engineer in charge of Residual Engineering Schemes in the Directorate of Agriculture, Govt of Orissa 10. All-Sub-Divisional Officers and Taluk Officers in the State of Orissa. 11. All Deputy and Sub-Deputy Magistrates in the State of Orissa 12. Industrial Engineer to the Government of Orissa, Cuttack. 13. All District Industries Officers in the State of Orissa. 14. Deputy Director-cum-Deputy Secretary, Supply Department, Government of Orissa. 15. All Assistant Directors of Food, Supply Deptt, Government of Orissa.	Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following— (a) Registered Producers. (b) Controlled Stockholders (c) Controlled Sources other than those functioning as Scrap Merchants. 4, 5, 10, 11, 12(1), 12(2), 14(1), 18, 20, 22, 23, 24(a), 24(b), 24(c), 24 (d), 26 (1) and 28 4, 5, 18, 20, 24(b), 24(c) and 24(d). 4, 5, 18, 20, 24(b), 24(c) & 24(d). 4, 5, 18, 20, 24(b), 24(c) & 24(d). 4, 5, 18, 20, 24(b), 24(c) & 24(d). 4, 5, 18, 20, 24(b), 24(c) & 24(d). 4, 5, 18, 20, 24(b), 24(c) & 24(d). 4, 5, 18, 20, 24(b), 24(c) & 24(d). 4, 5, 18, 20, 24(b), 24(c) & 24(d). 4 and 5. 4 and 5. 4 and 5. 4 and 5. 4, 5, 18, 20, 24(b)24(c) & 24(d).
<i>Punjab</i>		Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following.— (a) Registered Producers. (b) Controlled Stockholders.

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*Punjab—contd.*

- (c) Controlled Sources other than those functioning as Scrap Merchants.
1. Director of Industries . . . 4, 5, 10, 11, 12(1), 12(2), 14(1), 18, 20, 22, 23, 24(a), 24(b), 24(c), 24(d), 26(1) and 28.
  2. Joint Director of Industries (Procurement) and State Steel Controller, Punjab. 4, 5, 10, 11, 12(1), 12(2), 14(1), 18, 20, 22, 23, 24(a), 24(b), 24(c), 24(d), 26(1) and 28
  3. Deputy Director of Industries (Industrial Supplies) Punjab, Chandigarh. 4, 5, 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(c), 24(d) and 28 (for Iron and Steel and Scrap
  4. Assistant Director of Industries (Industrial Supplies, Punjab, Chandigarh. 4, 5, 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(d) and 28 (for Iron and Steel and Scrap).
  5. Assistant Director of Industries (Procurement), Punjab, Chandigarh. 4, 5, 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(c), 24(d) and 28 (for Iron and Steel and Scrap.)
  6. District Industries Officers, Punjab. 4, 5, 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(c), 24(d) and 28 (for Iron and Steel and Scrap).
  7. Project Officers, Malerkotla and Palampur. 4, 5, 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(c), 24(d) and 28 (for Iron and Steel and Scrap).
  8. Assistant District Industries Officers, Punjab. 4, 5, 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(c), 24(d) and 28 (for Iron and Steel and Scrap).
  9. Estate Officer, Capital Project and Sub-Divisional Officers (Buildings), Chandigarh. 4 and 5.
  10. District Magistrates in the State of Punjab. 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(c), 24(d) and 28 (for Iron and Steel and Scrap).
  11. Assistant Agricultural Engineer (Implements). 4, 5, 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(c), 24(d)

*Rajasthan*

- Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following —
- (a) Registered Producers.
  - (b) Controlled Stockholders.
  - (c) Controlled Sources other than those functioning as Scrap Merchants.
1. Director of Industries and Civil Supplies, Rajasthan. 4, 5, 10, 11, 12(1), 12(2), 14(1), 18, 20, 22, 23, 24(a), 24(b), 24(c), 24(d), 26(1) and 28.
  2. Joint Director of Industries & Supplies, Government of Rajasthan, Jaipur 4, 5, 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(c) and 24(d) and 28 (for Iron & Steel and Scrap).
  3. Regional Deputy Director of Industries and Supplies, Govt. of Rajasthan, Jaipur, Kotah, Jodhpur. 4, 5, 12(2), 18, 20, 24(b), 24(c) and 24(d).
  4. Dy. Director, Industries and Supplies (Supply), Government of Rajasthan, Jaipur. 4, 5, 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(c) and 24(d) and 28 (for Iron and Steel and Scrap).
  5. All District Industries Officers and Project Officers in the State of Rajasthan. 4, 5, 18 and 20.
  6. The Director of Agriculture, Govt. of Rajasthan, Jaipur. 4, 5, 10, 11, 12(2), 18, 20, 22, 23, 24(b), 24(c) and 24(d).

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- Rajasthan—contd.**
7. Joint Director of Agriculture, Rajasthan. 4, 5, 18, 20, 24(b), 24(c) and 24(d).
  8. All District Agriculture Officers. 5, 12, 20, 24(b), 24(c) and 24(d).
  9. All Agricultural Extension Officers. 5 and 20.
  10. Agricultural Assistants and Food Assistants. 5 and 20.
  11. All Collectors of the Districts in Rajasthan. 4, 5, 12(2), 18, 20, 24(b), 24(c), 24(d) and 28 (for Iron and Steel and Scrap).
  12. All Sub Divisional Officers in the State of Rajasthan. 4 and 5.
  13. All Vikas Adhikaries in the State of Rajasthan. 4 and 5.

**Uttar Pradesh**

Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following:—

- (a) Registered Producers
- (b) Controlled Stockholders
- (c) Controlled Sources other than those functioning as Scrap Merchants.

1. Provincial Iron and Steel Controller, Uttar Pradesh, Kanpur. 4, 5, 10, 11, 12(1), 12(2), 14(1), 18, 20, 22, 23, 24(a), 24(b), 24(c), 24(d), 26(1) and 28.
2. Assistant Provincial Iron & Steel Controller, Uttar Pradesh, Kanpur. 4, 5, 18, 20, 24(b), 24(c) and 24(d)
3. Deputy Provincial Iron and Steel Controller, Uttar Pradesh, Kanpur. 4, 5, 18, 20, 24(b), 24(c) and 24(d)
4. All District Magistrates in the Uttar Pradesh State. 4, 5, 18, 20, 24(b), 24(c), 24(d) and 28 (for Iron & Steel and Scrap).
5. All the District Supply Officers in Uttar Pradesh. 4, 5, 18, 20, 24(b), 24(c) and 24(d)

**West Bengal**

Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following:—

- (a) Registered Producers
- (b) Controlled Stockholders
- (c) Controlled Sources other than those functioning as Scrap Merchants.

1. Director of Consumer Goods, West Bengal, Calcutta. 4, 5, 10, 11, 12(1), 12(2), 14(1), 18, 20, 22, 23, 24(a), 24(b), 24(c), 24(d), 26(1) and 28.
2. Deputy Director of Consumer Goods, West Bengal, Calcutta. 12(2), 18, 20, 24(b), 24(c) and 24(d),
3. All Assistant Directors of Consumer Goods, all Sub-Divisional Officers and Officers authorised to work as such during the temporary absence of Sub-divisional Officers of the Govt. of West Bengal. 4, 5, 12(2), 18, 20, 24(b), 24(c), 24(d) and 28(b).

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<i>West Bengal</i> —contd .	4	Director of Industries, West Bengal	4, 5, 10, 11, 12(2), 24(b), 24(c) and 24(d)
	5	Deputy Director of Industries (Iron & Steel), West Bengal	12(2), 24(b) and 24(c).
	6	All Assistant Directors of Industries (Iron and Steel), West Bengal	4, 5, 24(b) and 24(c)
	7	Secretary, Industrial Rehabilitation Board, Calcutta	4 and 5.
	8	Special Officer (Progress), Department of Agriculture and Food Production, Government of West Bengal.	4, 5, 12(2), 18 and 20 Also 24(b), 24(c), and 24(d) in respect of 'Agricultural quota' for Scrap, if such quota is separately allotted to this State for that Department.
	9.	Sub Divisional Agricultural Officers appointed by the Govt. of West Bengal.	4, 5, 18 and 20.
	10	All Sub-Divisional Controllers of Food and Supplies, appointed by the Government of West Bengal	4, 5, 12(2), 18, 20, 24(b), 24(c), and 24(d), and 28(b).
	11.	Special Officer, Consumer Goods, West Bengal, Calcutta.	4, 5, 18, 20, 24(b), 24(c) and 24(d).
	12	Resources Officer, Development (Roads) Department, Government of West Bengal	4 and 5.
	13	Special Officer, Home (Anti-Corruption and Enforcement) Department, Government of West Bengal, Calcutta.	28 (for Iron and Steel and Scrap).
	14.	Deputy Commissioner of Police and Special Superintendent of Police, Enforcement Branch, West Bengal, Calcutta	28 (for Iron and Steel and Scrap).
	15.	District Agricultural Officers appointed by the Government of West Bengal	4, 5, 18 and 20 (in so far as the States Agriculture Quota is concerned).
	16.	All Block Development Officers in the State of West Bengal.	4, 5, 18 and 20.
	17.	Additional Director of Industries, West Bengal	4, 5, 10, 11, 12(2), 24(b), 24(c) and 24(d).
	18	Works Manager, Central Engineering Organisation, Howrah.	4, 5, 12(2), 24(b) and 24(c)
	19	Works Managers of the Industrial Estates of Howrah, Asansol and Kalyani	4, 5, 12(2), 24(b) and 24(c)
	20	All District Magistrates/Deputy Commissioners, Government of West Bengal	28.
	21	All Superintendents of Police, District Enforcement Branch, West Bengal	28.

*Delhi* . . . . .

Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following:—

- (a) Registered Producers.
- (b) Controlled Stockholders.
- (c) Controlled Sources other than those functioning as Scrap Merchants.



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	<ol style="list-style-type: none"> <li>1. Director of Civil Supplies, Delhi.</li> <li>2. Director, Industries, Delhi.</li> <li>3. Deputy Director of Industries Delhi.</li> <li>4. Assistant Director, Civil Supplies, Delhi.</li> <li>5. Civil Supplies Officer, Delhi.</li> <li>6. Assistant Director of Industries, Delhi.</li> </ol>	<p>4, 5, 10, 11, 12(1), 12(2), 14(1), 18, 20, 22, 24(a), 24(b), 24(c), 24(d), 26(1), and 28.</p> <p>4, 5, 10, 11, 12(2), 20, 24(b) 24(c) and 24(d)</p> <p>4, 5, 10, 11, 12(2), 20, 24(b), 24(c) and 24(d).</p> <p>4, 5, 10, 11, 12(2), 20, 24(b) 24(c) and 24(d).</p> <p>4, 5, 18, 20, 24(b), 24(c) and 24(d).</p> <p>4, 5, 18, 20, 24(b), 24(c) and 24(d).</p>
Himachal Pradesh		<p>Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following:—</p> <p>(a) Registered Producers.</p> <p>(b) Controlled Stockholders.</p> <p>(c) Controlled Sources other than those functioning as Scrap Merchants.</p> <ol style="list-style-type: none"> <li>1. Director of Civil Supplies, Himachal Pradesh, Simla.</li> <li>2. The Chief Secretary to the Government of Himachal Pradesh.</li> <li>3. The Deputy Director of Civil Supplies, Himachal Pradesh.</li> <li>4. The Director of Agriculture and the District Agricultural Officers, Administration of Himachal Pradesh.</li> <li>5. District Cooperative and Supplies Officers in the Administration of Himachal Pradesh.</li> <li>6. Director of Industries Himachal Pradesh Administration.</li> <li>7. All Deputy Commissioners in Himachal Pradesh Administration.</li> <li>8. Chief Engineer, P.W.D., Himachal Pradesh Administration.</li> <li>9. Block Development Officers, in Himachal Pradesh.</li> <li>10. District Industries Officers</li> <li>11. Assistant District Industries Officer, Bilaspur.</li> <li>12. Project Officer (Rural) Industries Project, Mahasu District.</li> </ol>
		<p>4, 5, 12(1), 14(1), 18, 20, 23, 24(a) 24(b), 24(c), 24(d), 26(1) and 28.</p> <p>7 (for approving or authorising transfer of materials on loan basis in respect of non-agricultural GDS Quota for GP/GC Sheets only. 4, 5, 18, 20, 23, 24(b), 24 (c) and 24(d) 4, 5, 28(b &amp; c) (for Iron &amp; Steel only).</p> <p>4, 5, 18, 20, 24(b), 24(c) and 24(d).</p> <p>4, 5, 18, 20, 24(b), 24(c) and 24(d).</p> <p>4, 5, 18, 20, 24(b), 24(c) &amp; 24(d).</p> <p>4 and 5.</p> <p>4 and 5.</p> <p>4, 5, 18, 20, 24(b), 24(c) and 24(d).</p> <p>4, 5, 18, 20, 24(b), 24(c) and 24(d). —for Bilaspur District.</p> <p>4, 5, 18, 20, 24(b), 24(c) and 24(d) in Mahasu District.</p>
Manipur		<p>Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following:—</p> <p>(a) Registered Producers.</p> <p>(b) Controlled Stockholders.</p> <p>(c) Controlled Sources other than those functioning as Scrap Merchants.</p>

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<ol style="list-style-type: none"> <li>1. Secretary, Civil Supplies Department, Government of Manipur.</li> <li>2. Under Secretary, Civil Supplies Department, Government of Manipur.</li> <li>3. Director of Agriculture, Manipur.</li> <li>4. The Principal Engineer, P.W.D., Manipur.</li> <li>5. The Additional Principal Engineer, P.W.D., Manipur.</li> <li>6. The Deputy Commissioner, Manipur.</li> <li>7. The Additional District Magistrate, Manipur.</li> <li>8. The Development Commissioner (Community Development), Manipur.</li> <li>9. The Additional Deputy Commissioner (Community Development), Manipur.</li> <li>10. The Additional Deputy Commissioner (Tribal Welfare), Manipur.</li> <li>11. The Director of Education, Manipur.</li> <li>12. The Director of Industries, Manipur.</li> </ol>	<ol style="list-style-type: none"> <li>4, 5, 12(1), 14(1), 18, 20, 24(a), 26(1) and 28.</li> <li>4, 5, 18 and 20.</li> <li>4 and 5.</li> <li>4 and 5.</li> <li>4 and 5.</li> <li>4, 5, 18, 20 and 28.</li> <li>4, 5, 18, 20 and 28.</li> <li>4, and 5.</li> <li>4 and 5.</li> <li>4 and 5.</li> <li>4 and 5.</li> <li>4 and 5.</li> </ol>	<p>Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following :—</p> <ol style="list-style-type: none"> <li>(a) Registered Producers.</li> <li>(b) Controlled Stockholders.</li> <li>(c) Controlled Sources other than those functioning as Scrap Merchants.</li> </ol>
<i>Tripura . . . .</i>	<ol style="list-style-type: none"> <li>1. Additional District Magistrate and Collector, Tripura, Agartala.</li> <li>2. Sub-Deputy Collector, Tripura (attached to Civil Supplies Organisation).</li> </ol>	<ol style="list-style-type: none"> <li>4, 12(1) 12(2) 18, 20, 24(a), 24(b), 24(c), 24(d), 26(1) and 28.</li> <li>5 and 14(1).</li> </ol>
<i>Andaman &amp; Nicobar Islands.</i>	Deputy Commissioner, Andaman & Nicobar Islands, Port Blair.	<p>Powers under clause 28 where delegated may be exercised in respect of all categories of persons but the powers under other clauses should be exercised with the exclusion of the following :—</p> <ol style="list-style-type: none"> <li>(a) Registered Producers.</li> <li>(b) Controlled Stockholders.</li> <li>(c) Controlled Sources other than those functioning as Scrap Merchants.</li> </ol>
<i>Laccadive, Minicoy and Amindivi Islands</i>	Administrator, Laccadive, Minicoy and Amindivi Islands.	<ol style="list-style-type: none"> <li>4, 5, 12(1), 14(1), 18, 20, 23, 24(a), 24(b), 24(c), 24(d) and 26(1).</li> <li>28 (for Iron and Steel and Scrap).</li> </ol>



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8. Deputy Controller of Stores Indian Railways, Locomotive Manufacturing Works, Calcutta.	4 and 5.	
8(i) District Controller of Stores/ RE (1), Calcutta.	4 and 5.	
8(ii) District Controller of Stores/ RE(2), Calcutta.	4 and 5.	
9. Railway Liaison Officer, Ministry of Railways, New Delhi.	4 and 5.	
10. The Deputy Controller of Stores, Integral Coach Factory, Perambur, Madras.	4 and 5.	
11. District Controller of Stores (Construction), Northern Railway, Robertsgang— Garhwa Road Rail Project, Baroda House, New Delhi.	4 and 5.	
12. Controller of Stores, Northeast Frontier Railway, Pandu.	4 and 5.	
13. Dy. Controller of Stores, Danda Karanya Bolangir Kiri- buru Railway Project, Waltair.	4 and 5.	
14. Deputy Controller of Stores, Diesel Locomotive Works, Varanasi.	4 and 5.	
15. Deputy Controller of Stores (S&C), Northeast Frontier Railway, Kurseong.	4 and 5.	
16. Deputy Director, Steel (RS), Railway Board, 1/1 Acharya Jagdish Bose Road, Calcutta-20.	4 and 5.	
17. Deputy Director, Steel (Genl.), Railway Board 1/1 Acharya Jagdish Bose, Road, Calcutta-20.	4 and 5.	
18. The Deputy Controller of Stores/BGCP—Northern Fron- tier Railway, Siliguri Kurseong.	4 and 5.	
19. Chairman, Tea Board, Calcutta.	4 and 5.	
20. Deputy Chairman, Tea Board Calcutta.	4 and 5.	
21. Director of Tea Development, Tea Board, Calcutta.	4 and 5.	
22. Secretary, Tea Board, Cal- cutta.	4 and 5.	
23. Supply Officer, Tea Board, Calcutta.	4 and 5.	
24. Secretary, Indian Central Committee, Bombay.	4 and 5.	
25. Deputy Assistant Coal Con- troller (Stores), Calcutta.	4 and 5.	
26. Textile Commissioner, Bom- bay.	4 and 5.	
27. Director (Planning and Co- ordination), Office of the Textile Commissioner, Bombay.	4 and 5.	
28. Deputy Director (Supply and Transport), Office of the Textile Commissioner, Bombay.	4 and 5.	
29. The Thermal Specialist En- gineer, Thermal Directorate, Central Water and Power Com- mission (Power Wing), New Delhi.	4 and 5.	
30. Director (P&M Directorate), Central Water and Power Com- mission, Water Wing, New Delhi.	4 and 5.	

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	31. The Deputy Director and the Assistant Director (P & M Directorate), Central Water and Power Commission (Water Wing), New Delhi.	4 and 5.
	32. The Deputy Director, P.C.P. Dte., Central Water & Power Commission (Power Wing), Cleremont, Simla	4 and 5.
	33. Development Officer (Acid & Fertilizers), Directorate General of Technical Development.	4 and 5.
	34. Development Officer (Alkalies and Allied), Directorate General of Technical Development.	4 and 5.
	35. Development Officer (Miscellaneous Chemicals), Directorate General of Technical Development.	4 and 5.
	36. Development Officer (Mineral Industries), Directorate General of Technical Development.	4 and 5.
	37. Development Officer (Timber), Directorate General of Technical Development.	4 and 5.
	38. Development Officer (Rayon), Directorate General of Technical Development.	4 and 5.
	39. Development Officer (Drugs & Pharmaceuticals), Directorate General of Technical Development.	4 and 5.
	40. Development Officer (Dyes & Explosives), Directorate General of Technical Development.	4 and 5.
	41. Development Officer (Oils & Food) Directorate General of Technical Development.	4 and 5.
	42. Development Officer (Insecticides Plastics & Plastic Chemicals) Directorate General of Technical Development.	4 and 5.
	43. Development Officer (Paper & Pulps), Directorate General of Technical Development.	4 and 5.
	44. Development Officer (Leather & Rubber), Directorate General of Technical Development.	4 and 5.
	45. Development Officer (Organic Chemicals & Petro Chemicals), Directorate General of Technical Development.	4 and 5.
	46. Development Officers (Metallurgical Industries), Directorate General of Technical Development.	4 and 5.
	47. Senior Industrial Adviser (Auto) DGT.D.	16—Only in respect of : (1) Steel Castings. (2) Dog—Spikes. (3) Bolts (including fish bolts, Nuts and rivets) (4) Barbed wire (Black or Galvanised) (5) Wire Nail.
	48. Senior Industrial Adviser (Petro Chemicals) DGT.D.	
	49. Industrial Advisers (Engineering), DGT.D.	
	50. Industrial Advisers (Chemicals) DGT.D.	
	51. Deputy Director General (Engineering), DGT.D.	

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2

3

52. Deputy Director General (Chemicals), DGT.D. } (6) Wrought Iron Pressure pipes and tubes.  
(7) Wrought Iron fittings, Malleable Iron fittings, Coated or uncoated, excluding Electrical conduit pipes.  
(8) Cast Iron Pipes and Specials and  
(9) Wire ropes.
53. Chief Director, Directorate of Sugar and Vanaspathi, Min. of F. & A. (Deptt. of Food) New Delhi. 4 and 5.
54. Director (Sugar Technical) and Deputy Director (Sugar Technical), Min. of Food and Agriculture (Deptt. of Food), New Delhi. 4 and 5.
55. The Deputy Director of Supplies (Progress), Directorate General of Supplies & Disposal, New Delhi. 4 and 5.
56. Directorate General of Supplies and Disposals, Ministry of Works, Housing and Supply, New Delhi. Sub-Clause 2 of Clause 27 in regard to fixation of special selling price for specified lots of controlled categories of iron and steel defectives and scrap sold by Central Government Departments including Projects administered by the Central Government Departments at the highest offer/bid received by the said Department in case the highest bid/offer exceeds the maximum Control price applicable to the specified lots.
57. All Deputy Iron and Steel Controllers, Offices of the Iron & Steel Controller Calcutta, Bombay and Madras. All Clauses of the Iron and Steel (Control) order.
58. Assistant Iron & Steel Controllers Offices of the Iron & Steel Controller at Calcutta, Bombay, Madras and Delhi and the Assistant Director (Grade I) (Steel) under the Administrative Control of the Iron & Steel Controller, Calcutta. 4, 5, 10, 12, 18, 20, 22, 24 and clauses 11, 15, 23 and 27, for freezing imported materials.
59. All Deputy Assistant Iron and Steel Controllers, Offices of the Iron and Steel Controller at Calcutta, Bombay and Madras. 4, 5, 10, 18, 20 and 22.
60. Research Officer, Office of the Iron and Steel Controller at Calcutta. 4, 5, 10, 18, 20 and 22.
61. Price and Accounts Officer and Deputy Price and Accounts Officers of the Iron and Steel Control, Calcutta. 15 and 27.
62. Assistant Iron and Steel Controllers and Deputy Assistant Iron and Steel Controllers, Price and Accounts Division of the Iron and Steel Control, Calcutta. 15.

63. Joint Director (Iron and Steel) and <i>ex-officio</i> Deputy Iron and Steel Controller, Iron and Steel Controller's Office, Calcutta.	All clauses of the Iron and Steel Control Order, 1956.
64. Liaison Officer of the Ministry of Defence and <i>ex-officio</i> Deputy Iron and Steel Controller, Iron & Steel Controllers Office, Calcutta.	All clauses of the Iron and Steel Control Order, 1956.
65. Deputy Director (Engineering) and <i>ex-officio</i> Assistant Iron and Steel Controller (Grade I), Iron and Steel Controller's Office, Calcutta.	4, 5, 10, 11, 18, 20, 22 & 23.
66. Deputy Director, Stores (Iron and Steel) and <i>ex-officio</i> Assistant Iron & Steel Controller (Grade I), Iron and Steel Controller's Office, Calcutta.	4, 5, 10, 11, 18, 20, 22 and 23.
67. Senior Steel Control Inspector, Office of the Iron and Steel Controller, Calcutta.	4, 5, 10, 18, 20 and 22.
68. Deputy Secretary and Under Secretary to the Government of India, Ministry of Transport (Transport Wing), New Delhi.	4 and 5.
69. Executive Engineer. Central Stores Division, C.P.W.D., New Delhi.	4 and 5.
70. Deputy Director of Exhibition, Ministry of International Trade.	4 and 5.
71. Deputy Director of Export Promotion and Export Promotion Officer (Senior), Ministry of International Trade, New Delhi.	4 and 5.
72. Deputy Chief Controllers (Export Promotion) and Controllers (Export Promotion) at Madras, Bombay and Calcutta.	4 and 5.
73. Manager, Purchase and Stores, Bharat Electronics Ltd., Jalahalli, Bangalore.	4 and 5.
74. Controller of Purchase, Hindustan Aircraft Ltd., Bangalore.	4 and 5.

[No. SC(A)-2(16)/63.]

## CORRIGENDUM

New Delhi, the 29th April 1964

**S.O. 1526.**—In the Department Notification No. SC(A)-10(9)/64, dated the 13th April, 1964.

1. For ESS. COMM/IRON & STEEL/2(c)AM(110)/64  
Read ESS. COMM/IRON & STEEL/2(c) AM(1)/64
2. For the words

“the late Ministry of Steel, Mines and Fuel (Department of Iron & Steel), dated the 11th June, 1957, as amended from time to time”.

Substitute

“the Ministry of Steel, Mines & Heavy Engineering (Department of Iron & Steel) No. SC(A)-2(16)/63 dated the 29th April, 1964”.

[No. SC(A)-10(9)/64.]

A. N. RAJAGOPALAN, Under Secy.

**MINISTRY OF INDUSTRY***New Delhi, the 25th April 1964*

**S.O. 1527.**—In exercise of the powers conferred by section 72 of the Indian Patents and Designs Act, 1911 (2 of 1911), the Central Government hereby appoints the Principal, Regional Engineering College, Warangal, P.O. Kazipet (Central Railway), Andhra Pradesh, as an authority for the purpose of the said section and makes the following further amendment in the Notification of the Government of India in the late Ministry of Commerce and Industry No. S.R.O. 681, dated the 23rd March, 1955, namely:—

In the said notification after item 28 and the entry relating thereto the following item and entry shall be added, namely:—

“(29) The Principal,

Regional Engineering College, Warangal,  
P.O. Kazipet (C. Rly.),  
Andhra Pradesh.”

....

[No. 16(9)-TMP/64.]

HARGUNDAS, Under Secy.

**ORDER***New Delhi, the 28th April 1964*

**S.O. 1528/IDRA/6/3.**—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with rules 5(1) and 8 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints, till the 27th August, 1965, Shri T. S. Sitapati to be a member of the Development Council established by the Order of the Government of India in the Ministry of Industry No. S.O. 2531 dated the 28th August, 1963, for the scheduled industries engaged in the manufacture or production of Non-ferrous Metals, including Alloys and Semi-Manufactures thereof and directs that the following amendment shall be made in the said Order, namely:—

In the said Order, for entry No. 13 relating to Shri P. S. Shavaksha, the following entry shall be substituted, namely:—

13. Shri T. S. Sitapati, M/S. Aslan Cables Corporation Ltd., Navsari Building, 240, Dadabhoy Naoroji Road, Bombay.

[No. 1(7)/Dev.Councils/63.]

V. PRAKASH, Under Secy.

**(Indian Standards Institution)***New Delhi, the 27th April, 1964*

**S.O. 1529.**—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby notifies that amendment(s) to the Indian Standard(s), given in the Schedule hereto annexed, have been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.



## THE SCHEDULE

*Sl. No.	No. and title of the Indian Standard amended	No. and Date of Gazette Notification in which the establishment of the Indian Standard was notified	No. & date of the Amendment	Brief particulars of the Amendment	Date from which the Amendment shall have effect
1	2	3	4	5	6
1	IS : 741-1962 Code for Inland Packaging of Woollen and Worsted Cloth & Yarn.	S.O. 3447 dated 17 November, 1962.	No. 1, March 1964.	<p>(i) The existing first sentence of sub-clause 2.1.1 has been substituted by a new one.</p> <p>(ii) Table I—Add the following as 'Note 2' at the end of the Table and amend the existing Note to read as 'Note 1' : 'Note 2—If Cloth Heavy Cee is not available, two layers of medium-weight hessian may be used in place of one layer of Cloth Heavy Cee'.</p> <p>(iii) The existing first sentence of sub-clause 2.2.1 has been substituted by a new one.</p> <p>(iv) The existing second sentence of sub-clause 2.3.1 has been substituted by a new one.</p> <p>(v) The existing first sentence of sub-clause 2.4.1. has been substituted by a new one.</p>	15 May 1964.
2	IS : 808-1957 Specification for Rolled Steel Beam, Channel and Angle sections.	S.R.O. 3640 dated 16 November, 1957.	No. 1, March 1964.	<p>(i) The existing ISMC series of channels and their corresponding properties in Table II, Indian Standard Medium Weight Channels, have been substituted by new ones.</p> <p>(ii) The existing ISA Sections of Designations 110110 to 200200 and their corresponding properties in Table III, have been substituted by new ones.</p> <p>(iii) The existing ISA Sections of Designations 150115 to 200150 and their corresponding properties in Table IV, have been substituted by new ones.</p>	Immediate effect.
3	IS : 1053-1962 Specification for Dieldrin Water Dispersible Powder Concentrates. (Revised).	S.O. 3881 dated 29 December, 1962.	No. 1, March 1964.	<p>(i) Clause 51.—Add the following sub-clause after 5.1. : '5.1.1.—The retail packs shall be of 500 g. each. The Material shall be packed in a polyethylene bag of not less than 0.125 mm</p>	15 May, 1964.

I	2	3	4	5	6
				(500 gauge) thickness, its mouth heat-sealed, and then packed in a cardboard carton which, for transport purposes, shall be further packed in suitable wooden cases secured with steel strappings.'	
				(ii) The existing sub-clause 5.2.1. has been substituted by a new one.	
4	IS : 1104-1957 Specification for Brushes, Lettering.	S.O. 605 dated 26 April, 1958.	No. 1, March 1964.	It has been decided to include corresponding metric values for the fps values appearing in the standard. (i) Clause 7.3.1., line 2—Substitute '0.28 to 0.32 mm (or 30 or 32 SWG)' for '30 to 32 SWG'. (ii) The existing Table II has been substituted by a new one.	15 May, 1964.
5	IS : 1283-1958 Specification for Bicycle Free-Wheels.	S.O. 1231 dated 30 May, 1959.	No. 1, March 1964.	The existing Fig. 1 has been substituted by a new one.	15 May 1964.
6	IS : 1312-1958 Specification for Methyl Bromide.	S.O. 1438 dated 27 June, 1959.	No. 1, March 1964.	(i) The existing clause 6.1 has been substituted by a new one. (ii) The existing sub-clause 6.2.3 has been substituted by a new one.	15 May 1964.
7	IS : 1547-1960 Specification for Infant Milk Foods.	S.O. 2319 dated 24 September, 1960.	No. 2, June 1964.	(i) The existing Appendix H has been substituted by a new one. (ii) The existing Appendix J has been substituted by a new one.	1 June 1964.
8	IS : 1665-1960 Specification for Cuprous Oxide Water Dispersible Powder Con- centrates.	S.O. 224 dated 28 January, 1961.	No. 2, April 1964.	(i) The existing clause 5.1. has been substituted by a new one. (ii) The existing sub-clause 5.2.1 has been substituted by a new one.	Immediate effect.
9	IS : 1824-1961 Specification for Household Insecticidal Spray.	S.O. 2442 dated 14 October, 1961.	No. 1, April 1964.	(i) The existing clause 5.1 has been substituted by a new one. (ii) The existing sub-clause 5.2.1 has been substituted by a new one.	15 May 1964.
10	IS : 1827-1961 Specification for Liquid Amine Salts of 2,4-D.	S.O. 2339 dated 30 September, 1961.	No. 1 March, 1964.	(i) The existing clause 5.1. has been substituted by a new one. (ii) The existing sub-clause 5.2.1. has been substituted by a new one.	15 May 1964.

1	2	3	4	5	6
11	IS :1832-1961 Specification for Malathion, Technical	S.O. 2534 dated 28 October, 1961.	No. 1 April, 1964.	(i) The existing clause 5.1 has been substituted by a new one.  (ii) The existing sub-clause 5.2.2 has been substituted by a new one.	15 May 1964
12	IS :1833-1961 Specification for Diazinon, Technical.	S.O. 2706 dated 18 November, 1961.	No. 1 March, 1964.	(i) The existing clause 5.1 has been substituted by a new one.  (ii) The existing sub-clause 5.2.2 has been substituted by a new one.	15 May 1964
13	IS : 1836-1961 Specification for Reamers.	S.O. 78 dated 13 January, 1962.	No. 2 March, 1964.	(i) The existing sub-clause 5.1.2 has been substituted by a new one.  (ii) The existing Fig. 5 has been substituted by a new one.  (iii) [Table X, <i>fourth column</i> , DIAMETER (APPROX), 'd <sub>1</sub> ']  (a) Delete the fourth column and the entries under it.  (b) For dimension 'd <sub>1</sub> ' in Types A and B Ma- chine Bridge Reamers, add the following note as 'NOTE 2', and num- ber the existing note as 'NOTE 1':  'NOTE 2—The values of d <sub>1</sub> are calculated on the basis of recom- mendations given in 4.4.1.'	15 May 1964

Copies of these amendment slips are available, free of cost, with the Indian Standards Institution, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-1, and also at its Branch Offices at (i) 232 Dr. Dadabhai Naoroji Road, Bombay-1, (ii) Third Floor, 11, Sooterkin Street, Calcutta-13, (iii) Second Floor, Sathyamurthi Bhavan, 54, General Patters Road, Madras-2, and (iv) 14/69 Civil Lines, Kanpur.

[No. MD/13:5.]

**S.O. 1530**—In exercise of the powers conferred by sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks, Regulations, 1955, as amended in 1962, the Indian Standards Institution hereby notifies the issue of errata slips particulars of which are given in column (4) of the Schedule hereto annexed, in respect of the Indian Standards specified in column (2) of the said Schedule.

#### THE SCHEDULE

Sl. No.	No. and Title of Indian Standard	No. and date of Gazette Notification in which establishment of Indian Standard was notified	Particulars of Errata slip issued
1	2	3	4
1	IS : 293-1959 Code for Sea-worthy Packaging of Cotton Cloth and Yarn ( <i>Revised</i> ).	S.O. 1463, dated 11 June, 1960.	Page 6, clause A-7.1, line 2 Please read '0.04 mm' for '0.0167 mm'.

1	2	3	4
2	IS : 1003-1957 Specification for Timber Pannelled and Glazed Doors and Windows.	S.O. 1214, dated 28 June, 1958.	Page 9, Fig. 8, second row, fifth figure under 'Doors without Ventilators'. Please read '10 DT 20' for '10 DS 20'.
3	IS : 1347-1959 Code for Inland Packaging of Cotton Cloth & Yarn.	S.O. 1346, dated 28 May, 1960.	Page 5, clause A-7.1, line 2 Please read '0.04 mm' for '0.0169 mm'.
4	IS : 1928-1961 Specification for Boiler Rivets (12 to 48 mm Diameter).	S.O. 1267, dated 28 April, 1962.	The existing Figs. 7 and 8 at Page 9 have been substituted by new ones.
5	IS : 2090-1962 Specification for High Tensile Steel Bars used in Prestressed Concrete.	S.O. 2976, dated 29 September, 1962.	(i) Page 7, clause 8.2, line 1 Please read 'relaxation of stress' for 'relaxation stress'. (ii) Page 8, clause 9.3 (a) Heading—Please read 'Constant Strain Relaxation Test' for 'Constant Rate relaxation'. (b) Line 3—Please read 'relaxation of stress' for 'relaxation load'. (c) Lines 6 and 7—Please read 'in a period of not more than 5 minutes' for 'in a period of 5 minutes'.
6	IS : 2194-1963 Code for Seaworthy Packaging of Man-Made Fibre Fabrics.	S.O. 2160, dated 3 August, 1963.	Page 8, clause A-4.1, line 1. Please read '0.04 mm' for '0.017 mm'.
7	IS : 2199-1962 Test Chart for Radial Drilling Machines.	S.O. 1421, dated 25 May, 1963.	Page 4, Sl. No. 1, col. 5 Please read 'Direction AB : 01/m Direction CD : 01/m Base plate to be concave only (Maximum variation between spirit level readings)'.  For 'Direction AB : 0.1. Direction CD : 0.1. Base plate to be convex only (Maximum variation between spirit level readings)'.

Copies of these Errata Slips are available, free of cost, with the Indian Standards Institution, Manak Bhavan, 9, Bahadurshah Zafar Marg, New Delhi-1, and also at its Branch Offices at (i) 232 Dr. Dadabhoy Naoroji Road, Bombay-1, (ii) Third Floor, 11, Sooterkin Street, Calcutta-13, (iii) 2nd Floor, Sathyamurthi Bhavan, 54, General Patters Road, Madras-2, and (iv) 14/69 Civil Lines, Kanpur.

[No. MD/13:6].

New Delhi, the 28th April, 1964.

**S.O. 1531.**—In the notification published under S.O. 944, in Gazette of India, Part II, Sub-section 3(ii) dated 21st March, 1964, the address of the licensee of CM/L-357, dated 20th November, 1961, at S. No. 17 has been amended as follows:

M/s. Electrical and Mechanical  
Corporation (India),  
E-4, Industrial Area,  
Jullundur City.

[No. MD/12:524.]

New Delhi, the 30th April 1964

**S.O. 1532.**—In pursuance of sub-regulation (1) of regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964, the Indian Standards Institution hereby notifies that the Indian Standard, particulars of which are given in the Schedule hereto annexed, has been cancelled.

THE SCHEDULE

Serial No.	No. and Title of the Indian Standard withdrawn	No. and date of Gazette Notification in which establishment of the Indian Standard was notified
1.	IS : 30-1953 Specification for Aluminium-Coated High-Tensile Aluminium Alloy Sheets and Coils for Aircraft Purposes.	S.R.O. 658 dated 26 March 1955 published in the Gazette of India, Part II, Section 3, dated 26 March 1955.

[No. MD/13 : 7]

**S.O. 1533.**—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964, the Indian Standards Institution hereby notifies that the marking fee per unit for various products, details of which are given in the Schedule hereto annexed, have been determined and the fee shall come into force with effect from 1 June 1964.

THE SCHEDULE




Serial No. 1	Product/Class of Products 2	No. and title of relevant Indian Standard 3	Unit 4	Marking Fee per Unit 5
1.	Water Meters (Domestic Type)	IS:779-1961 Specification for Water Meters (Domestic Type) (Revised).	One Meter.	15 nP. per unit for the first 10,000 units; 10 nP. per unit for the next 10,000 units; 5nP. per unit for the 2000, 1st unit and above.
2.	Ink, Duplicating, All Weather, Black for Rotary Type Machines.	IS:1222-1957 Specification for Ink, Duplicating, All Weather, Black for Rotary Type Machines.	One kg.	2 nP.
3.	Plain Hard-Drawn Steel Wire for Prestressed Concrete.	IS:1785-1961 Specification for Plain Hard-Drawn Steel Wire for Prestressed Concrete.	One Metric Tonne.	Re 1.00

[No. MD/18 : 2]

**S.O. 1534.**—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, as amended in 1962, the Indian Standards Institution hereby notifies that the Standard Mark(s), design(s) of which together with the verbal description of the design (s) and the title(s) of the relevant Indian Standard(s) is/are given in the Schedule hereto annexed, have been specified.

These Standard Mark(s), for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952, as amended in 1961, and the rules and regulations framed thereunder, shall come into force with effect from 1 June 1964.

## THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Products to which applicable	No. & Title of Relevant Indian Standard	Verbal description of the design of the Standard Mark
1	2	3	4	5
1	 <p>IS: 779</p>	Water Meters	IS: 779—1961 Specification for Water Meters (Domestic Type) (Revised).	The monogram of the Indian Standards Institution consisting of letters ISI, drawn in the exact style and relative proportion as indicated in col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.
2	 <p>IS: 1222</p>	Ink, Duplicating, All Weather, Black for Rotary Type Machines	IS: 1222—1957 Specification for Ink, Duplicating All Weather, Black for Rotary Type Machines.	The monogram of the Indian Standards Institution consisting of letters ISI drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.
3	 <p>IS: 1785</p>	Plain Hard-Drawn Steel Wire for Prestressed Concrete.	IS: 1785—1961 Specification for Plain Hard-Drawn Steel Wire for Prestressed Concrete.	The monogram of the Indian Standards Institution consisting of letters ISI, drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.

[No. MD/17:2]

S. K. SEN,

Head of the Certification Marks Department.

**MINISTRY OF EDUCATION****(Department of Education)****(ARCHAEOLOGY)***New Delhi, the 28th April 1964*

**S.O. 1535.**—Whereas by notification of the Government of India in the Ministry of Education No. F. 4-27/63-CI dated the 6th January, 1964 published in Part II, section 3 sub-section (ii) of the Gazette of India dated the 11th January, 1964, the Central Government gave notice of its intention to declare the archaeological monument specified in the Schedule below to be of national importance.

And, whereas, no objections have been received to the making of such declaration.

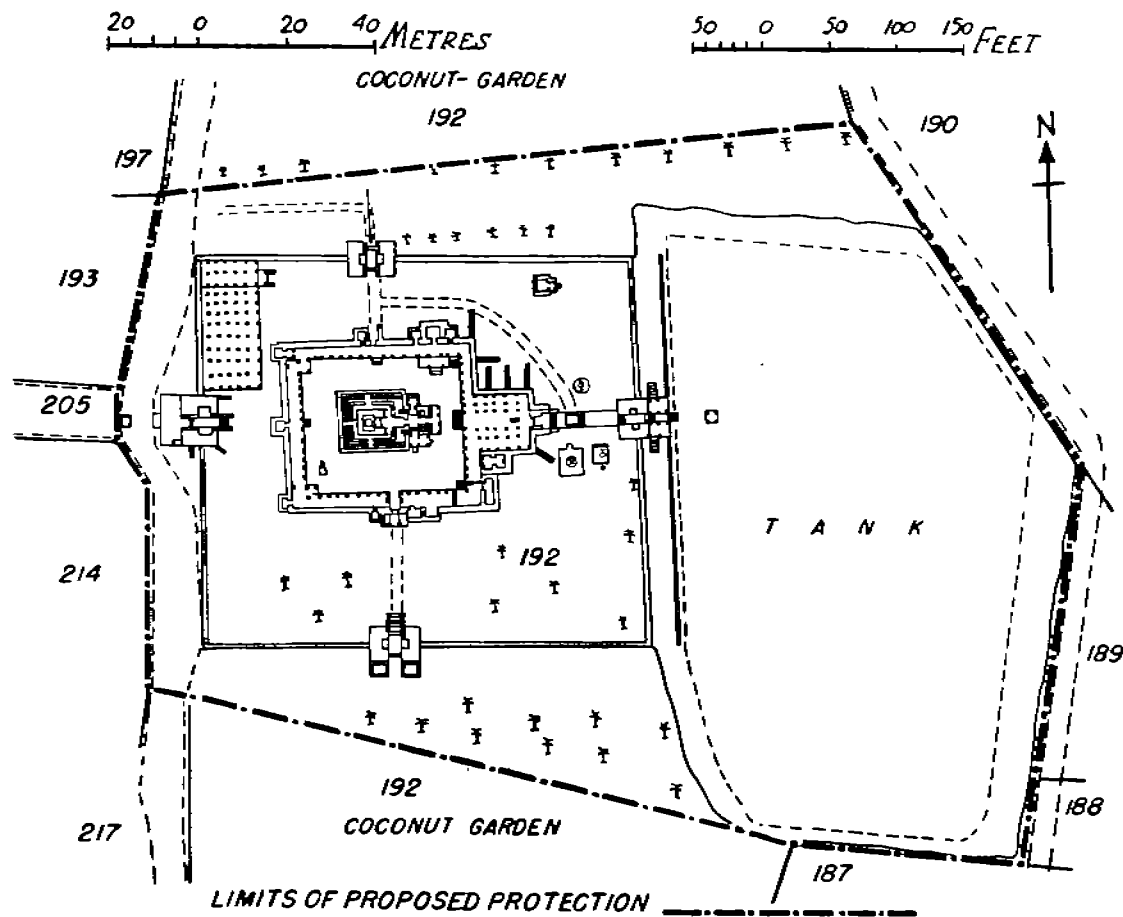
Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said archaeological monument to be of national importance.

## SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
I	2	3	4	5	6	7	8	9	10	11
1	Andhra Pradesh	East Godavari	Kakinada	Samalkot-Bhimavaram	Bhimesvara temple together with adjacent land comprised in part of survey plot No. 192.	Part of survey plot No. 192 as shown in the plan reproduced below.	6.92 Acres	North.—Remaining portion of survey plot No. 192—Coconut garden. East:—Survey plot Nos. 188, 189 and 190. South:—Survey plot No. 187 and remaining portion of survey plot No. 192—Coconut garden. West:—Survey plot Nos. 193, 205 and 214.	Government.	The temple is under religious use.



# SITE PLAN OF BHIMESVARA TEMPLE AT SAMALKOT-BHIMAVARAM



[No. F. 4-27/63-CL]

**S.O. 1536.**—Whereas by notification of the Government of India in the Ministry of Education No. F. 4-20/63.C.1 dated the 21st December 1963 published in Part II, section 3 sub-section (ii) of the Gazette of India dated the 28th December, 1963, the Central Government gave notice of its intention to declare the archaeological monument specified in the Schedule below to be of national importance.

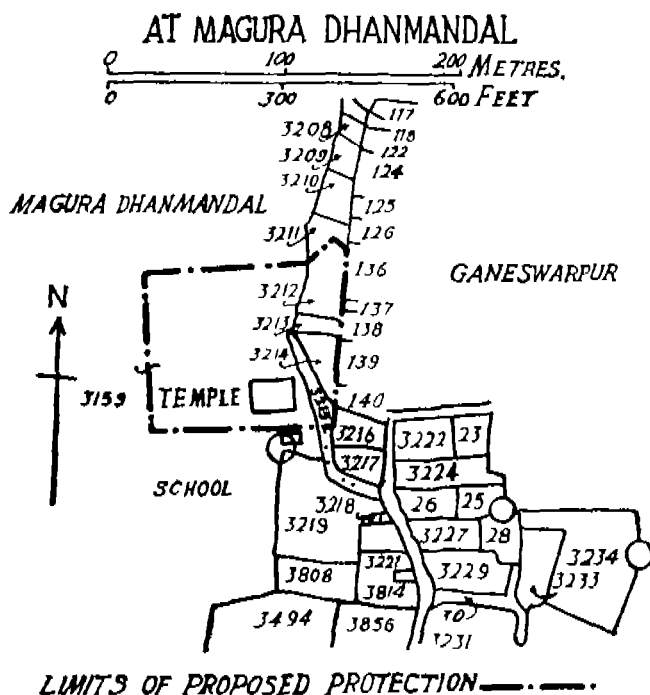
And, whereas, no objections have been received to the making of such declaration.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said archaeological monument to be of national importance.

**SCHEDULE**

Sl. No.	State	District	Tehsil	Locality	Name of monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Orissa	Cuttack	Sadar	Magura Dhanmandal	Pancha Pandava temple together with adjacent land comprised in survey plots Nos. 3212, 3213, 3214, and part of Survey plots Nos. 3159 and 3215.	Whole of Survey plots Nos. 3212, 3213, 3214 and part of survey plots Nos. 3159 and 3215 as shown in the plan reproduced below.	2.16 aeres.	North:—Survey plot No. 3211 and remaining portion of Survey plot No. 3159 of village Magura Dhanmandal. East:—Survey plots Nos. 136, 137, 138, 139 and 140 of village Ganeswarpur and survey plot No. 3216 of village Magura Dhanmandal. South —Remaining portions of survey plots Nos. 3159 and 3215 of village Magura Dhanmandal. West:—Remaining portion of survey plot No. 3159 of village Magura Dhanmandal.	Survey plots Nos. 3212, 3213 and 3214: Privately owned and remaining under Government ownership.	Not under religious worship.

## SITE PLAN OF PANCHAPANDAVA TEMPLE



**LIMITS OF PROPOSED PROTECTION— — — — —**

[No. F. 4-20/63-C1.]

**S.O. 1537.**—Whereas the Central Government is of opinion that the ancient monuments specified in the Schedule attached hereto are of national importance.

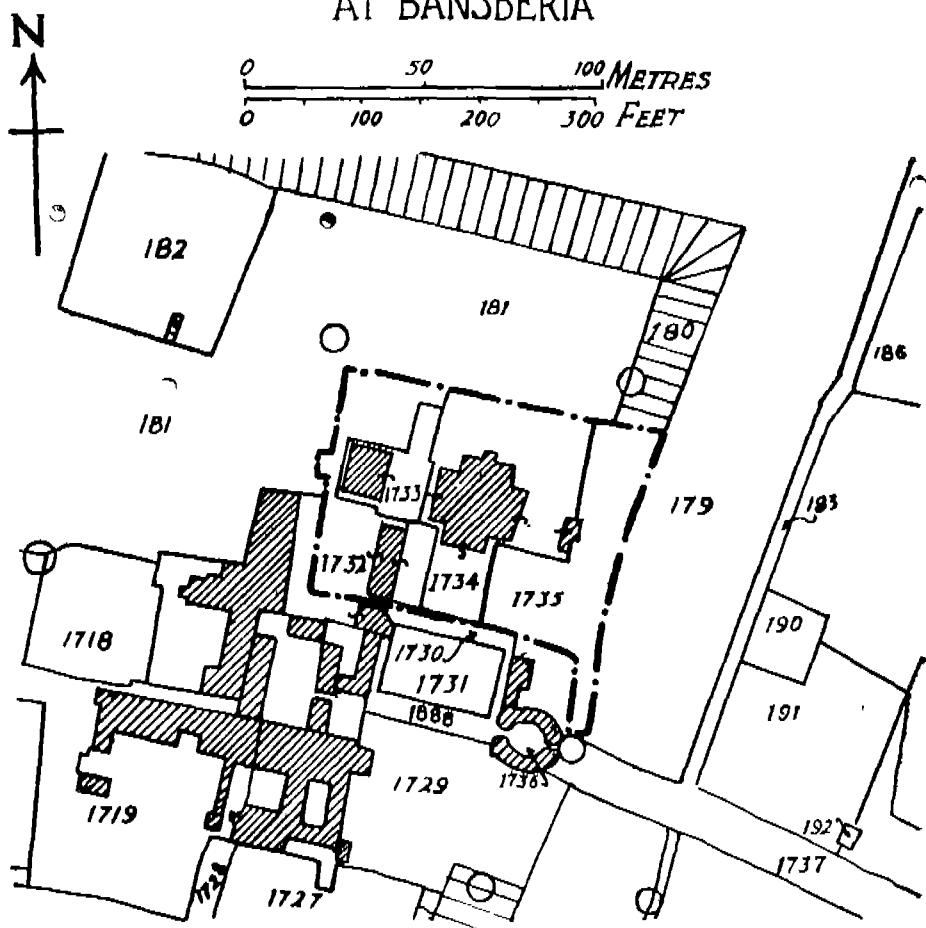
Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monuments to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monuments will be considered by the Central Government.

SCHEDULE

Sl. No.	State	District	Sub-Division	Locality	Name of monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	West Bengal.	Hooghly	Sadar	Bansberia	Hamsesvari and Vasudeva temples together with adjacent land comprised in survey plot Nos. 1733, 1734 and part of survey plot Nos. 1732, 1735 as shown in the plan reproduced below.	Whole of Survey plot Nos. 1733 and 1734 and part of survey plot Nos. 1732 and 1735 as shown in the plan reproduced below.	1 Bigha and 10 Cottahs.	North:—Survey plot Nos. 180 and 181. East:—Survey plot No. 179. South:—Survey plot Nos. 1730, 1737 and remaining portion of survey plot Nos. 1732 and 1735. West:—Survey plot No. 181 and remaining portion of survey plot No. 1732.	Private	Hamsesvari temple is under religious use.

# SITE PLAN OF HAMSESVARI & VASUDEVA TEMPLES AT BANSBERIA



LIMITS OF PROPOSED PROTECTION ————

[No. F. 4-9/64-CL.]

**S.O. 1538.**—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

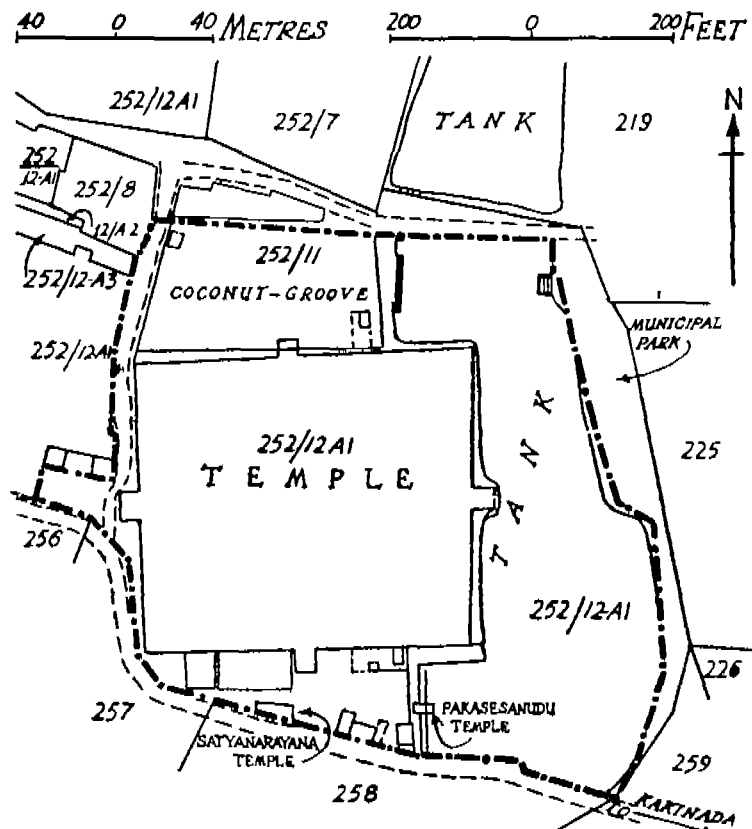
Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Andhra Pradesh	East Godavari	Ramachandrapuram	Daksharama	Bhimesvara temple together with adjacent land comprised in survey plot No. 252/11 and part of survey plot No. 252/12-A-1.	Whole of survey plot No. 252/11 and part of survey plot No. 252/12-A-1 as shown in the plan reproduced below. —	11 Acres and 80 cents.	North:—Remaining portion of survey plot No. 252/12-A-1 (habitations area and village road). East:—Remaining portion of survey plot No. 252/12-A-1 classified as Municipal park. South:—Road in Survey plot Nos. 258, 257 and 256. West:—Remaining portion of survey plot No. 252/12-A-1 (habitation area), survey plot Nos. 252/12-A-3 and 252/8.	Government	The Temple is under religious worship. Its management is under the Hindu Religious and Charitable Board, Andhra Pradesh.

## SITE PLAN OF BHIMESVARA TEMPLE AT DAKSHARAMA



LIMITS OF PROPOSED PROTECTION

[No. F. 4-8/64-CI.]

**S.O. 1539.**—Whereas by notification of the Government of India in the Ministry of Education No. F. 4-35/63-CI dated the 30th December 1963, published in Part II, section 3 sub-section (ii) of the Gazette of India dated the 4th January, 1964, the Central Government gave notice of its intention to declare the archaeological monument specified in the Schedule below to be of national importance.

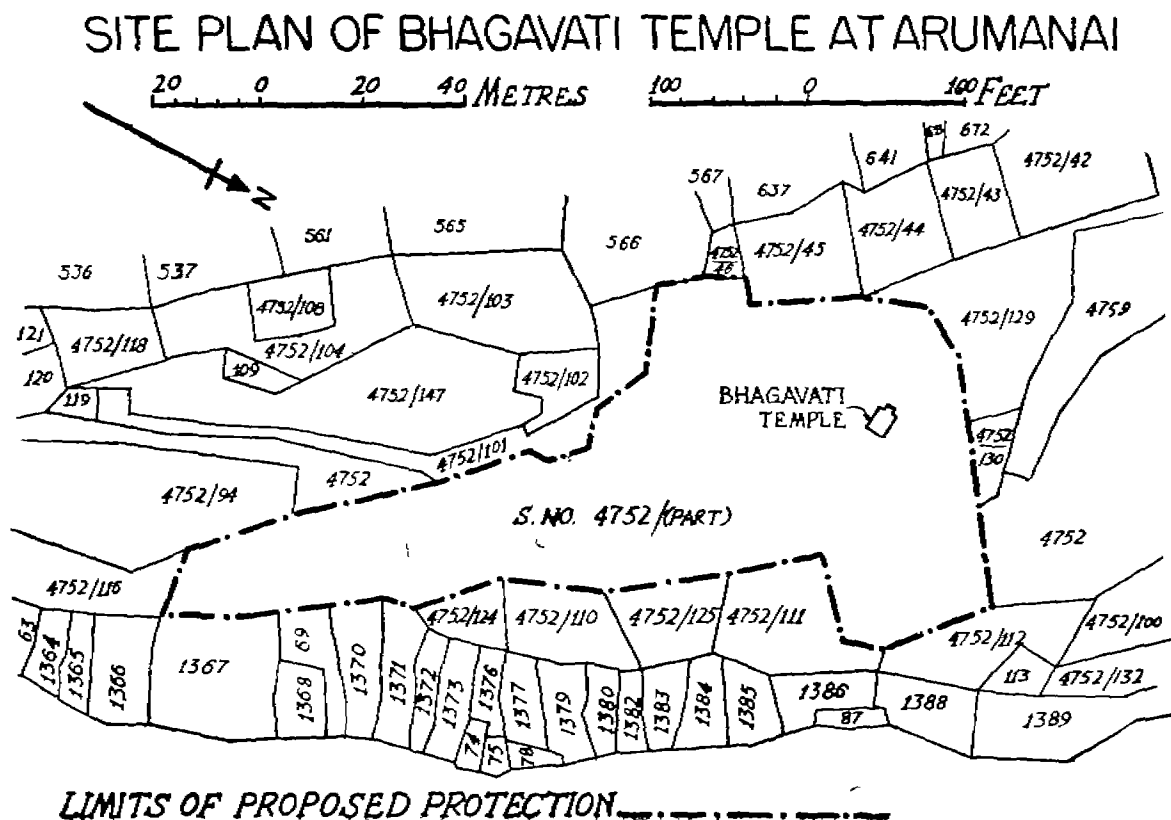
And, whereas; no objections have been received to the making of such declaration.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said archaeological monument to be of national importance.



SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Madras	Kanyakumari.	Vilavancode.	Arumanai village Chitharal Desam.	Bhagavati temple together with adjacent land comprised in part of survey plot No. 4752.	Part of survey plot No. 4752 as shown in the plan reproduced below.	36.60 acres.	North:—Survey plot Nos. 4752/130, 4752/112 and remaining portion of survey plot No. 4752. East:—Survey plot Nos. 4752/111, 4752/125, 4752/110, 4752/124, 1371, 1370, 1369, and 1367. South:—Survey plot Nos. 4752/116, 4752/94 and remaining portion of survey plot No. 4752. West:—Survey plot Nos. 4752/101, 4752/46, 4752/45, 4752/44, 4752/129 and survey plot No. 566 of Pacode village.	Government.	The temple under worship.



[No. F. 4-35/63-C1.]

*New Delhi, the 29th April 1964*

**S.O. 1540.**—In pursuance of section 36 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby makes the following corrections in the description of the ancient monument referred to at item 4 under the heading "Orissa State" in Part II of the Schedule to the Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Act, 1951 (71 of 1951) as subsequently amended by the Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Amendment Act, 1954 (3 of 1954), and deemed to be an ancient monument declared to be of national importance for the purposes of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958) under section 3 of that Act, namely:—

The entries,—

" 4 : Ruins of ancient fort

Haripur"

shall be corrected as follows, namely:—

- I** "Ancient site and remains of the fort together with adjacent land comprised in the survey plot Nos. 883, 1098, 868, 866, 867, 869, 871, 1084, 1085, 1086, 870, 873, 874, 875, 872, 1131, 1130 and part of survey plot Nos. 876, 1092, 787, 788, 790, 791, 792, 794, 795, 789, 799, 808, 809, 811, 812, 877 and 884 as shown in the plan reproduced below covering an area of 23.98 acres bounded on the—

Haripur, Tahsil Sader, District  
Mayurbhanj, Orissa State"

**North.**—by survey Plot Nos. 882, 881, 880, 879 and remaining portion of survey plot Nos. 884, 877, 876, 1092, 877 and 788.

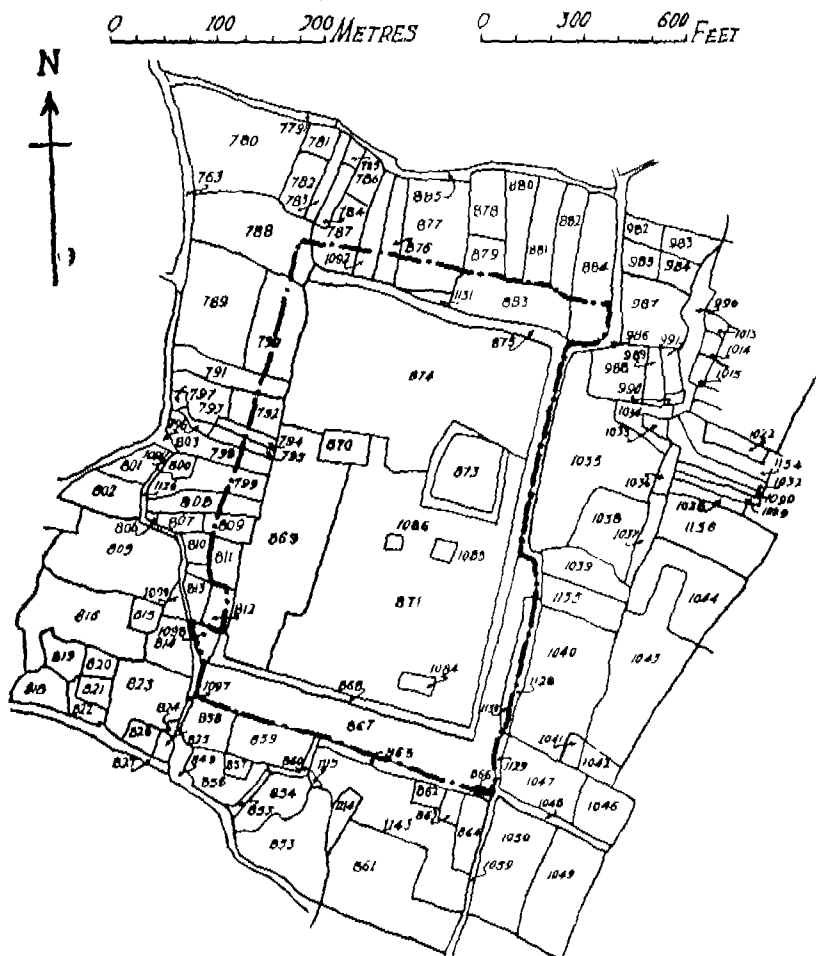
**East.**—by survey plot Nos. 986, 1128 and 1129.

**South.**—by survey plot Nos. 858, 859 and 865.

**West.**—by remaining portion of survey plot Nos. 788, 790, 791, 792, 794, 795, 798, 799, 808, 809, 811 and 812 and survey plot Nos. 810, 813 and 1097.

(Note.—Out of the above, survey plot Nos. 868, 866, 867, 869, 871, 1084, 1085, 1086, 870, 873, 874, 875 and 872 are owned by the Government and the remaining plots are under private ownership).

## SITE PLAN OF ANCIENT SITE AT HARIPUR.



LIMITS OF PROPOSED PROTECTION ———

[No. F. 4-7/64.C.1.]

S.O. 1541.—Omitted.

**S.O. 1542.**—Whereas by notification of the Government of India in the Ministry of Education No. F. 4-34/63-C1 dated the 24th December, 1963 published in Part II, section 3, sub-section (ii) of the Gazette of India dated the 4th January, 1964, the Central Government gave notice of its intention to declare the archaeological monument specified in the Schedule below to be of national importance.

And, whereas, no objections have been received to the making of such declaration.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said archaeological monument to be of national importance.

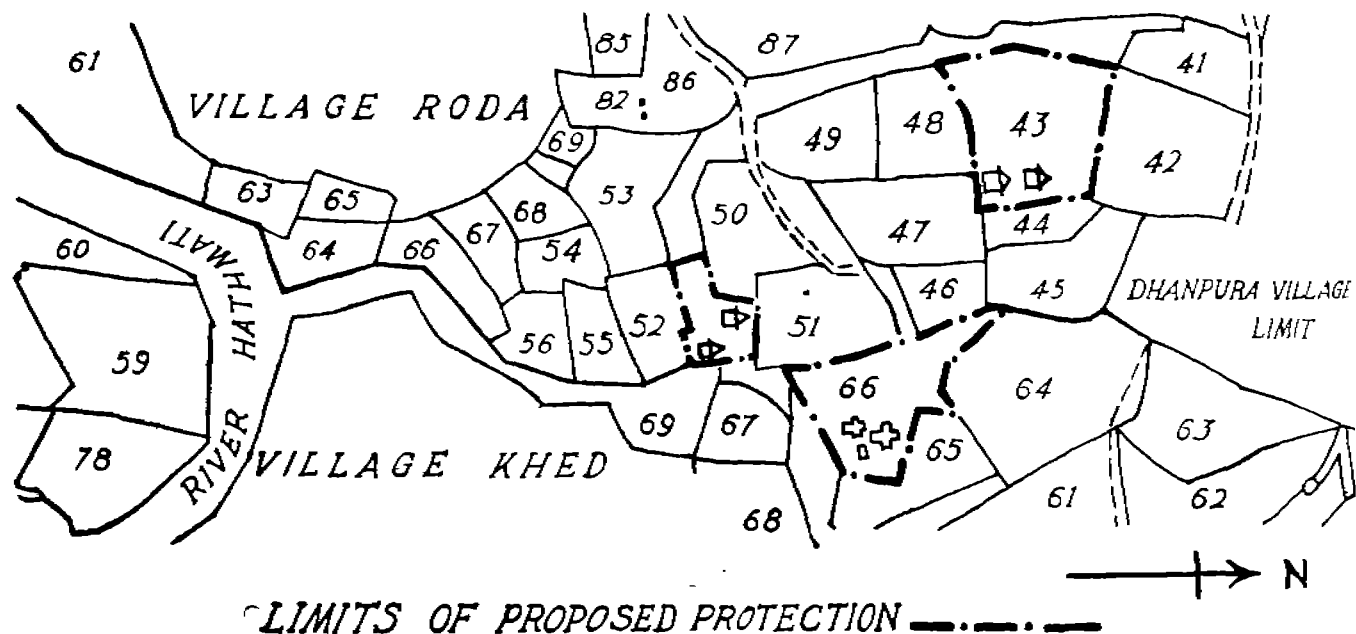
## SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monuments	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
I	2	3	4	5	6	7	8	9	10	11
1	Gujarat	Sabarkantha	Himatnagar	Khed and Roda (Raisinghpur).	Group of temples at Khed and Roda (Raisinghpur) as detailed below :— 1. Two temples and a kund together with adjacent land comprised in survey plot No. 66 of village Khed. 2. Two temples together with adjacent land comprised in survey plot No. 43 of village Roda. 3. Two temples together with adjacent part of the Wangha Kharaba land of village Roda as shown in the site plan below.	1. Whole of survey plot No. 66 of village Khed. 2. Whole of survey plot No. 43 of village Roda. 3. Part of Wangha Kharaba land of village Roda as shown in the site plan below.	4 Acres. 3 Gunthas. 4 Gunthas.	1. North:—Survey plot Nos. 64 of Khed and 45 of village Roda. East:—Survey plot No. 65 of village Khed. South:—Wangha land of village Khed. West:—Survey plot Nos. 46, 51 and Wangha land of village Roda. 2. North:—Survey plot No. 42 of village Roda. East:—Survey plot No. 44 of village Roda. South:—Survey plot Nos. 47 and 48 of village Roda. West:—Wangha land of village Roda. 3. North:—Survey plot Nos. 50 and 51 of village Roda. East:—Survey plot Nos. 69 and 67 of Khed and remaining portion of Wangha land of village Roda. South:—Survey plot No. 52 of village Roda. West:—Remaining portion of Wangha land of village Roda.	State Government.	Not under worship.

# SITE PLAN OF MONUMENTS AT RODA & KHED

0 150 300 450 METRES

0 500 1000 1500 FEET



[No. F. 4-34/63-CL.]

S. J. NARSIAN,

Asstt. Educational Adviser.

**MINISTRY OF INTERNATIONAL TRADE****ORDERS****IMPORT TRADE CONTROL**

*New Delhi, the 27th April 1964*

**S.O. 1543/IECA/3-4A/8/64.**—In exercise of the powers conferred by section 3 of the Imports and Exports (Control) Act, 1947 (18 of 1947), the Central Government hereby makes the following Order further to amend the Imports (Control) Order, 1955, namely:—

- (1) This Order may be called the Imports (Control) Third Amendment Order 1964.
- (2) In Part III of Schedule I to the Import (Control) Order 1955, against Serial No. 5A for the entry in Column (3), the following entry shall be substituted, namely:—  
“48(c), 48(1), 72(1) and 72(3)”.

[No. 8/64.]

**S.O. 1544/IECA/3-4A/9/64.**—In exercise of the powers conferred by section 3 of the Imports and Exports (Control) Act, 1947 (18 of 1947), the Central Government hereby makes the following Order further to amend the Imports (Control) Order, 1955, namely:—

- (1) This order may be called the Imports (Control) Fourth Amendment Order 1964.
- (2) In Part I of Schedule 1 to the Imports (Control) Order 1955, against S. No. 51, for the entry in column (3), the following entries shall be substituted, namely:—  
“70(1) and 70(7)”.

[No. 9/64.]

P. N. SAREEN, Under Secy.

**MINISTRY OF FOOD & AGRICULTURE**

**(Deptt. of Agriculture)**

**(Indian Council of Agricultural Research)**

*New Delhi, the 29th April 1964*

**S.O. 1545.**—Under Section 4(x) of the Indian Cotton Cess Act, 1923 (14 of 1923), the Central Government are pleased to nominate the following persons to be members of the Indian Central Cotton Committee, Bombay for a period of one year with effect from 1st April, 1964:—

1. Shri Neville N. Wadia, Bombay Dyeing & Manufacturing Co., Bombay.
2. Shri Chunilal B. Mehta, Chunilal Mehta & Co. Ltd., Yusuf Building, 43, Mahatma Gandhi Road, Fort, Bombay-1.
3. Shri R. D. Mehra, 6815 Beriwalla Bagh, Pul Bangash, Delhi.
4. Shri R. Doraiswamy, Textile Commissioner, Bombay.
5. The Economic & Statistical Adviser to the Government of India, Ministry of Food & Agriculture, New Delhi.
6. Shri M. B. Somani, Advocate, Akola.
7. Shri Chhimanlal B. Parikh, 28 Apollo Street, Fort, Bombay.
8. Shri R. D. Shah, Cotton Adviser, Office of the Textile Commissioner, Bombay.
9. Shri Jehangir P. Patel c/o M/s. Patel Cotton Co. Private Ltd., Volkart Building, Graham Road, Ballard Estate, Bombay-1.
10. The Joint Secretary (Finance), Ministry of Food and Agriculture, New Delhi.
11. Sardar Ujjal Singh, 12 Curzon Road, New Delhi.



12. Sardar Satwant Singh. Nasirpur Farm, P.O. Bahadur Garh Fort, Patiala, Punjab.
13. Shri D. V. Lele. Member, Khadi & Village Industries Commission, Bombay-56.
14. Shri S. D. Patil, Chalisgaon, Maharashtra State.
15. Giani Zail Singh, M.L.A., 31, M.L.A.'s Quarters, Chandigarh.
16. Shri N. R. M. Swamy, Ranipeth, Madras.
17. Shri R. G. Saraiya c/o M/s. Narandas Rajaram & Co., Navasari Chambers, Outram Road, Fort, Bombay.

[No. 1-7/63-Com.III.]

### CORRIGENDUM

*New Delhi, the 4th May 1964*

**S.O. 1546.**—In the audited accounts of the Indian Central Coconut Committee for 1961-62 issued vide Government of India, Ministry of Food and Agriculture (Department of Agriculture), Indian Council of Agricultural Research Notification No. S.O. 853, dated the 3rd March, 1964 [published in the Gazette of India Part II, Section 3(ii), dated the 14th March, 1964 on pages 1087 to 1098], the following corrections are made:—

- (i) On page 1094 of the Gazette against last item of the closing balance on the payment side for the figure Rs. 11,56,196.00 read Rs. 11,56,196.70.
- (ii) On page 1094 on the receipts side add at the bottom "Total Rs. 24,10,023.51".
- (iii) Delete the words "Verified and found correct subject to the remarks in the Inspection Report. (Sd.) A. G. Kerala (Sd.) Assistant Accounts Officer" occurring on bottom of page 1097.

[No. 7-45/63-Com.I]

N. K. DUTTA, Under Secy

### MINISTRY OF HEALTH

*New Delhi, the 30th April, 1964*

**S.O. 1547.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the post of Investigator (Central Health Education Bureau) in the Directorate General of Health Services, namely:—

1. **Short title.**—These rules may be called the Directorate General of Health Services Investigator (Central Health Education Bureau) Recruitment Rules, 1964.

2. **Application.**—These rules shall apply to the post of investigator (Central Health Education Bureau) specified in column 1 of the Schedule Annexed hereto.

3. **Classification and Scale of pay.**—The classification of the said post and the scale of pay attached to it shall be as specified in columns 2 and 3 of the said Schedule.

4. **Method of recruitment, age-limit and other qualifications.**—The method of recruitment to the said post, age limit, qualifications and other matters relating thereto shall be as specified in columns 4 to 12 of the Schedule aforesaid.

Provided that the upper age-limit prescribed for direct recruitment may be relaxed in the case of Scheduled Castes, Scheduled Tribes and other categories of persons in accordance with the orders issued from time to time by the Central Government.

5. **Disqualification.**—(a) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse shall be eligible for appointment to the post, and

(b) no woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage shall be eligible for appointment to the post.

Provided that the Central Government, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

## SCHEDULE.

*Recruitment Rules for the Post of Investigator, Central Health Education Bureau, Directorate General of Health Services*

Name of Post	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of Promotees	Period of probation, if any	Method of rectt. whether by direct rectt. or by promotion or transfer & percentage of the vacancies to be filled by various methods	In case of rectt. by promotion/transfer, grade from which promotion to be made	If a DPC exists what is its composition	Circumstances in which U.P.S.C. is to be consulted in making rectt.
1	2	3	4	5	6	7	8	9	10	11	12
Investigator (Central Health Education Bureau).	General Central Service, Class II, Non-Gezatted Non-Ministerial.	Rs. 275-25-500.	Not applicable.	30 years and below (relaxable for Government servants).	Essential : (i) Master's degree in one of the Social Sciences or Statistics of a recognised University. (ii) About 2 years' experience of participation in field research on social problems including analysis of data and preparation of reports. (iii) Knowledge of Hindi, or one of the regional languages other than Hindi; as the case may be.	Not applicable.	Two years.	Direct recruitment.	Not applicable.	Not applicable.	As required under the rules).

Qualifications relaxable  
at Commission's discretion in the case  
of candidates otherwise well-qualified.

*Desirable :*

- (i) Broad knowledge of Public Health problems.
- (ii) Working knowledge of Hindi (in case knowledge of one of the regional languages other than Hindi is an essential qualification).

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[No. F. 38-65/60-Estt. (P) ,

K. SATYANARAYANA, Under Secy.

*New Delhi, the 1st May 1964*

**S.O. 1548.**—The State Government of Rajasthan, having nominated Dr. S. C. Mehta, Director, Medical and Health Services, Rajasthan, Jaipur to represent that Government on the Drugs Consultative Committee, the Central Government in pursuance of section 7 of the Drugs Act, 1940 (23 of 1940) hereby makes the following further amendment to the notification of the Government of India in the Ministry of Health No. F 1-3/47 D(II), dated the 13th September, 1948:—

In the said notification, under the heading 'Nominated by the State Government',

for the entries against serial No. 13, the following entries shall be substituted, namely:—

"Dr. S. C. Mehta, Director, Medical Health Services, Rajasthan, Jaipur."

[No. F. 4-1/63-D.]

BASHESHAR NATH, Under Secy.

## DEPARTMENT OF POSTS AND TELEGRAPHS

(P. & T. Board)

*New Delhi, the 27th April 1964*

**S.O. 1549.**—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General Posts and Telegraphs, hereby specifies the 1st May, 1964 as the date on which the Measured Rate System will be introduced in Bhagalpur Telephone Exchange.

[No. 31-12/64-PHB.]

**S.O. 1550.**—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General Posts and Telegraphs, hereby specifies the 1st July 1964 as the date on which the measured rate System will be introduced in Siliguri Telephone Exchange.

[No. 31-9/64-PHB.]

S. RAMA IYER

Assistant Director General (PHB)

## MINISTRY OF RAILWAYS

(Railway Board)

*New Delhi, the 29th April 1964*

**S.O. 1551.**—In exercise of the powers conferred by Section 82-B of the Indian Railways Act, 1890 (Act 9 of 1890), the Central Government hereby appoint Shri Chintamani Mahapatra, District and Sessions Judge, Cuttack, as Claims Commissioner to deal with all claims for compensation arising out of the railway accident involving the head-on collision between 38 Dn Madras-Howrah Express and No. 513 Up Goods train at Baudpur station (next to Bhadrak on the Kharagpur-Khurda Road Main line section on the Howrah-Madras Trunk Road) of the South Eastern Railway on 8th March, 1964. His headquarters will be at Cuttack.

[No. E(0)II-64AP1/1.]

P. C. MATHIEW, Secy

## MINISTRY OF REHABILITATION

*New Delhi, the 17th April 1964*

**S.O. 1552.**—In exercise of the powers conferred by Sub-Section (1) of Section 24 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby directs that the powers exercisable by it under Sub-Section (4) of Section 24 and Section 33 of the said Act shall be exercisable

also by Shri H. R. Nair, Chief Settlement Commissioner, subject to the condition that he shall not exercise any of such powers in relation to any matter in which an order has been made by him—

- (i) Under Sub-Section (2) of Section 24 of the said Act either as Chief Settlement Commissioner or by virtue of powers delegated to him by the Chief Settlement Commissioner, or
- (ii) In any other case, as Deputy Chief Settlement Commissioner or Chief Settlement Commissioner.

[No. 5(2) AGZ/64.]

NAWAB SINGH, Secy.

(Office of the Chief Settlement Commissioner)

New Delhi, the 27th April, 1964

**S.O. 1553.**—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties in the Union Territory of Delhi specified in the schedule below for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires the said properties (specified in the schedule below).

THE SCHEDULE

Sl. No.	Particulars of evacuee property	Name of the town and locality in which the evacuee property is situated	Name of evacuee	Percentage.
1.	IV/310/893	Chowri Bazar, Delhi.	Shri Abul Hassan.	Not known.
2.	XV/9463-64/7263	Aram Nagar, Pahar Gunj, Delhi.	Abdul Hassan.	

[No. 13(2) Comp. & Prop/61.]

New Delhi, the 1st May 1964

**S.O. 1554.**—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the States of Delhi, Madhya Pradesh, Bihar and Orissa for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954, (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the properties specified in the schedule hereto annexed.

A SCHEDULE

All properties in the States of Delhi, Madhya Pradesh, Bihar and Orissa which have vested in the Custodian under Section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officer under the provisions of the said Act upto 30th April 1964 and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officer

[No. 22(14)/Comp & Prop/61.]

**S.O. 1555.**—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the State of Rajasthan for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of powers conferred by section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

#### A SCHEDULE.

All properties in the State of Rajasthan which have vested in the Custodian under section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officer under the provisions of the said Act, upto 30th April 1964 and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officer.

[No. 22(13)/Comp. & Prop/61.]

**S.O. 1556.**—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the State of U.P. for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

#### A SCHEDULE.

All properties in the State of U.P. which have vested in the Custodian under section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officers under the provisions of the said Act, upto 30th April 1964 and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officers.

[No. 2(21)/Comp. & Prop/61.]

**S.O. 1557.**—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the State of Punjab for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

#### A SCHEDULE.

All properties in the State of Punjab which have vested in the Custodian under section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officer under the provisions of the said Act, upto 30th April 1964 and in respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officer (officers) concerned.

[No. 16(18)/58-Prop.II.Comp.]

**S.O. 1558.**—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the States of Gujarat, Maharashtra, Andhra Pradesh, Madras, Mysore and Kerala for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

#### A SCHEDULE.

All properties in the States of Gujarat, Maharashtra, Andhra Pradesh, Mysore, Madras, and Kerala which have vested in the Custodian under section 11 of the Evacuee Interest (Separation) Act, 1951, as a result of adjudication by the Competent Officers under the provisions of the said Act upto 30th April 1964 and in

respect of which no appeals have been filed and if filed, have been rejected by the Appellate Officer.

[No. 1(27)/Comp & Prop/61.]

M. J. SRIVASTAVA,  
Settlement Commissioner &  
*Ex-Officio* Under Secy.

### DELHI DEVELOPMENT AUTHORITY

*New Delhi, the 28th April 1964*

**S.O. 1559.**—In pursuance of the provisions of sub-section (4) of Section 22 of the Delhi Development Act, 1957, the Delhi Development Authority has replaced at the disposal of the Central Government the land described in the Schedule below for placing it at the disposal of the Land and Development Officer, Ministry of Works, Housing and Rehabilitation, Government of India, New Delhi for further transfer to *Shri Phool Chand, Vaish Middle School for School.*

#### SCHEDULE.

Piece of land measuring 277-77 sq. yds. adjoining *Shri Phool Chand School II. No. XIV/6982 & 7010*, situated in *Ahata Kidara Scheme*.

The above piece of land is bounded as follows:—

NORTH: (House No. XIV/6982 and H. No. XIV/7010) *Shri Ram Chand Ram Sarupete*.

SOUTH: T. 312 Nazul land

EAST: Idgah Road.

WEST: Private land.

[No. S/2(89)/48.]

R. K. VAISII, Secy.

### MINISTRY OF FINANCE

(Department of Economic Affairs)

*New Delhi, the 28th April 1964*

**S.O. 1560.**—In exercise of the powers conferred by section 22, read with sub-section (2) of section 21 of the Rehabilitation Finance Administration Act, 1948 (12 of 1948), the Central Government hereby directs that its powers in relation to the recovery of loans remaining unpaid shall be exercisable also by the Officer-in-charge, Rehabilitation Finance Administration Unit, Calcutta.

[No. F. 7(7)-Corp/64.]

M. R. YARDI, Jt. Secy.

(Department of Economic Affairs)

*New Delhi, the 2nd May 1964*

**S.O. 1561.**—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to *St. Mary's Model Bank Ltd., Changanacherry* in respect of the property held by it in the undernoted locality, till the 31st March, 1965.—

S. No. 162/15 of Vazhappally Village—Kocharikathil Puraidom.  
(Kottayam District).

[No. F. 15(10)-BC/64.]

B. J. HEERJEE, Under Secy.

## (Department of Economic Affairs)

New Delhi, the 2nd May 1964

S.O. 1443.—Statement of the Affairs of the Reserve Bank of India, as on the 24th April 1964

## BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs
Capital paid up . . . . .	5,00,00,000	Notes . . . . .	18,26,82,000
Reserve Fund . . . . .	80,00,00,000	Rupee Coin . . . . .	3,30,000
National Agricultural Credit (Long Term Operations) Fund . . . . .	3,00,00,000	Small Coin . . . . .	4,80,000
National Agricultural Credit (Stabilisation) Fund . . . . .	8,00,00,000	National Agricultural Credit (Long Term Operations) Fund	
Deposits:—		(a) Loans and Advances to:—	
(a) Government:		(i) State Governments . . . . .	28,30,76,000
(i) Central Government . . . . .	52,71,93,000	(ii) State Co-operative Banks . . . . .	8,43,31,000
(ii) State Governments . . . . .	13,52,39,000	(iii) Central Land Mortgage Banks . . . . .	
(b) Banks:		(b) Investment in Central Land Mortgage Bank Debentures . . . . .	3,59,36,000
(i) Scheduled Banks . . . . .	83,42,97,000	National Agricultural Credit (Stabilisation) Fund	
(ii) State Co-operative Banks . . . . .	2,43,97,000	Loans and Advances to State Co-operative Banks . . . . .	
(iii) Other Banks . . . . .	1,50,000	Bills purchased and discounted:—	
(c) Others . . . . .	159,94,02,000	(a) Internal . . . . .	..
Bills Payable . . . . .	33,48,60,000	(b) External . . . . .	..
Other Liabilities . . . . .	73,63,03,000	(c) Government Treasury Bills . . . . .	87,90,69,000
		Balances Held Abroad* . . . . .	7,97,01,000
		Loans and Advances to Governments** . . . . .	83,07,62,000
		Loans and Advances to:—	
		(i) Scheduled Banks† . . . . .	45,01,90,000
		(ii) State Co-operative Banks†† . . . . .	115,26,46,000
		(iii) Others . . . . .	2,31,25,000
		Investments . . . . .	154,11,66,000
		Other Assets . . . . .	30,83,97,000
Rupees . . . . .	585,18,91,000	Rupees . . . . .	585,18,91,000

\*Includes Cash and Short-term Securities.

\*\*Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 20,38,65,000 advanced to scheduled banks against usance bills under section 17(4) (c) of the Reserve Bank of India Act.

†† Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 29th day of April, 1964.



An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 24th day of April 1964

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	18,26,82,000		Gold Coin and Bullion :—		
Notes in circulation	2536,27,17,000		(a) Held in India	117,76,10,000	
Total Notes issued		2554,53,99,000	(b) Held outside India	..	
			Foreign Securities	108,45,69,000	
			TOTAL		226,21,79,000
			Rupee Coin		105,85,13,000
			Government of India Rupee Securities		2222,47,07,000
			Internal Bills of Exchange and other commercial paper		..
TOTAL LIABILITIES		2554,53,99,000	TOTAL ASSETS		2554,53,99,000

Dated the 29th day of April, 1964.

P. C. BHATTACHARYYA,  
Governor.

[No. F. 3(2)-BC/64.]

A. BAKSI, Jt. Secy.

## (Department of Revenue and Company Law)

## CORRIGENDUM

## ESTATE DUTY

New Delhi, the 30th April 1964

S.O. 1563.—In the Ministry of Finance (Department of Revenue) Notification No. 3/F. No. 5/51/63-ED, dated the 21st February 1964, published as S.O. 744 on pages 976—981 of the Gazette of India, dated 7th March 1964 in Part II, Section 3 Sub-section (ii) the following corrections and additions shall be made in the Appendix to the aforesaid Notification, namely:—

(1) Under the head "Engineers/Surveyors/Architects"—Schedule I—

(a) against Sl. No. 45, for—Shri Patenardhan, R. S., B.E. (Civil).  
M.I.E. (Ind.), J.P.

read—Shri Patwardhan, R.S., B.E. (Civil).  
A.M.I.E. (Ind.).

(b) against Sl. No. 50, for—Shri Shripunkar, K. A., A.M.I. Struct. E.  
(Lond.).

read—Shri Shripukar, K. A., A.M.I. Struct. (E)  
(Lond.).

(c) below Sl. No. '59' and the corresponding entries add following  
namely:—

Sl. No.	Name	Address
"60"	Shri Mullick, S. N., M.E., M.M.G.I., F.G.M.S.	Shankerpur House, P.O. Ukhra, District Burdwan.
"61"	Shri Joglekar, M. V., B.E., A.M.I.E.	1311, Shivaji Nagar, Poona-5.

[No. 4/F. No. 5/51/63-E.D.]

P. K. GHOSH, Under Secy.

## CENTRAL BOARD OF DIRECT TAXES

## INCOME-TAX

New Delhi, the 4th May 1964

S.O. 1564.—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby make the following amendments to the Schedule appended to its notification No. 20 (F. No. 55/1/62-IT), dated 30th April, 1963 published as S.O. 1293 on pages 1454—1457 of the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 11th May, 1963:—

I. Existing entries under columns (1), (2) and (3) against S. No. 7 shall be substituted by the following entries:—

Income-tax Commissioners. (1)	Headquarters (2)	Jurisdiction (3)
7. Delhi	New Delhi	Union territory of Delhi excluding Central Circles I to V at Delhi.

II. After the existing S. No. 7, the following shall be added:—

Income-tax Commissioners. (1)	Headquarters (2)	Jurisdiction (3)
7A. Delhi (Central) and Rajasthan	New Delhi	1. Central Circles I to V at Delhi. 2. State of Rajasthan.

III. Existing entries under columns (1), (2) and (3) against S. No. 9 shall be substituted by the following entries:—

9. Madras	Madras	The State of Madras and the Union territories of Pondicherry and Karaikal except the Circles assigned to the Commissioner of Income-tax, Madras (Central).
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IV. After the existing S. No. 9, the following shall be added:—

9A. Madras (Central)	Madras	1. Central Circles I to VI at Madras. 2. Central Circles I and II at Coimbatore. 3. City Circle III, Madras. 4. City Circle IV, Madras. 5. Kancheepuram Circle. 6. Vellore Circle. 7. Salem Circle.
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V. Existing entries under columns (1), (2) and (3) against S. No. 11 shall be substituted by the following entries:—

11. Gujarat I	Ahmedabad	1. Investigation Circle I(1), Ahmedabad. 2. Investigation Circle I(2), Ahmedabad. 3. Circle I, Ahmedabad. 4. Circle III, Ahmedabad. 5. Circle IV, Ahmedabad. 6. Circle V, Ahmedabad. 7. Circle VI, Ahmedabad. 8. Circle VII, Ahmedabad. 9. Circle IX, Ahmedabad. 10. Group Circle I(1), Ahmedabad. 11. Group Circle I(2), Ahmedabad. 12. Group Circle I(3), Ahmedabad. 13. Group Circle III(1), Ahmedabad. 14. Group Circle III(2), Ahmedabad. 15. Group Circle III(3), Ahmedabad. 16. Palanpur Circle. 17. Patan Circle. 18. Mehsana Circle. 19. Junagadh Circle. 20. Veraval Circle. 21. Circle I, Bhavnagar. 22. Circle II, Bhavnagar. 23. Surendranagar Circle. 24. Amreli Circle.
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VI. After the existing S. No. 11, the following shall be added:—

11A. Gujarat II	Ahmedabad	1. Circle II Ahmedabad. 2. Circle VIII, Ahmedabad. 3. Circle X, Ahmedabad.
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4. Group Circle II(1),  
Ahmedabad.
5. Group Circle II(2),  
Ahmedabad.
6. Ed-cum-I.T. Circle  
Ahmedabad.
7. Circle I, Baroda.
8. Circle II, Baroda.
9. Ed-cum-I.T. Circle  
Baroda.
10. Petlad Circle.
11. Godhra Circle.
12. Circle I, Nadiad.
13. Circle II, Nadiad.
14. Circle I, Surat.
15. Circle II, Surat.
16. Broach Circle.
17. Navsari Circle.
18. Bulsar Circle.
19. Circle I, Rajkot.
20. Circle II, Rajkot.
21. Circle I, Jamnagar.
22. Circle II, Jamnagar.
23. Porbandar Circle.
24. Bhuj Circle.
25. Morvi Circle.

This Notification shall take effect from 15th May, 1964.

*Explanatory Note*

This notification has been issued on account of the creation of three new Commissioner's Charges.

(The above note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 23 (F. No. 55/57/64-IT).]

J. RAMA IYER, Under Secy.

**MINISTRY OF LABOUR & EMPLOYMENT**

*New Delhi, the 25th April 1964*

**S.O. 1565.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to the Central Bank of India Limited and their workmen which was received by the Central Government on the 17th April, 1964.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
AT BOMBAY**

**REFERENCE No. C.G.I.T. No. 41 of 1963**

**Employers in relation to the Central Bank of India Limited, Bombay**

**AND**

**Their Workmen.**

**PRESENT:**

**Shri Salim M. Merchant, Presiding Officer.**

**APPEARANCES:**

*For the Workmen:*

*For the All India Bank Employees Association and its allied Unions:*  
Shri K. K. Mundul, Vice-President of All India Bank Employees' Association, Shri T. Chakravarti, Assistant Secretary, Shri V. M. Chitnis, Member, Executive Committee, Shri Rusi Patel, Central Bank of India Employees' Union, Bombay and Shri M. R. Jhaveri,

General Secretary, Central Bank of India Employees' Union, Bombay.

*For the All India Bank Employees' Federation and its allied Unions:* Shri C. L. Dudhia, Bar-at-Law, President of All India Bank Employees' Federation, with Shri A. K. Sharma, President, All India Central Bank Staff Federation and Vice-President of All India Bank Employees' Federation with Shri M. B. Ghotankar, Joint Secretary of All India Bank Employees' Federation and Vice-President of All India Central Bank Staff Federation, with Shri J. V. Dave, Joint Secretary of All India Central Bank Staff Federation, Shri J. S. Sareen, Vice-President, Central Bank Union, Delhi and Shri S. C. Jain, Central Bank Employees' Association, Delhi.

*For the Employers:* Shri N. V. Phadke, Advocate, instructed by Sarvashri P. C. Mewavala, Manager, Central Bank of India Ltd., Bombay, N. R. Pandit, Secretary, Labour Secretariat of Banks in India, K. P. Mahale, Law Officer and N. A. Vazifdar, Staff Officer.

STATE: Maharashtra.

INDUSTRY: Banking.

*Dated the 16th day of April 1964.*

#### AWARD

The Central Government by the Ministry of Labour and Employment's Order No. 51(65)/63-LR IV, dated the 9th October 1963, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), was pleased to refer the industrial dispute between the parties above named in respect of the subject matters specified in the following Schedule to the said order:

#### SCHEDULE

"Whether having regard to the directions contained in paragraph 119 of the Award dated the 21st July, 1962 of the National Industrial Tribunal (Bank Disputes), Bombay published under the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2603, dated the 7th August 1962, the management of the Central Bank of India Ltd., was justified in declaring bonus for 1962 at the rate of 23 per cent on 80 per cent of the basic pay in case of the workmen of the Bank? If not, to what relief the workmen are entitled?"

2. After the Bank and the two Federations and their allied Unions representing the workmen had filed their Written Statements, at the hearing on 14th February 1964 the parties stated that they were negotiating for a settlement and requested me to adjourn the dispute to 2nd March 1964, on which date it was stated that the negotiations had not resulted in an over-all settlement and the dispute was therefore adjourned to 30th March 1964, to be heard on its merits.

3. It appears that in the meantime, as the result of the intervention of the Chief Labour Commissioner of the Government of India, New Delhi, the parties again negotiated for a settlement and separate settlements were reached between the Bank and the All India Bank Employees' Association and the All India Bank Employees' Federation on 25th March 1964, in the presence of Shri Teja Singh Sahni, the Chief Labour Commissioner (Central).

4. Consequently, at the hearing of this dispute before me on 30th March 1964, Shri K. K. Mundul, Vice-President of the All India Bank Employees' Association, filed an application for permission to withdraw this reference without prejudice to the settlement dated 25th March 1964 and the rights and contentions of the parties there-under, to which Shri C. L. Dudhia, the President and other representatives of the All India Bank Employees' Federation and other allied Unions and the officers representing the Central Bank of India Ltd., Bombay, have endorsed their no objection. Hereto annexed is a copy of the application dated 30th March 1964 for withdrawal of the dispute along with the terms of the two separate settlements dated 25th March 1964, reached between the Bank and the All India Bank Employees' Association and the All India Bank Employees' Federation respectively, and the same are marked as annexures 'A', 'A1' and 'A2' to this award.

5. However, at the hearing on 30th March 1964, Shri J. C. Khanna, Vice-President and Shri D. C. Jain, Assistant Secretary, representing the All India Bank Officers' Association, Kanpur, appeared and filed their Written Statement and opposed the application for withdrawal of this reference. At their request they were furnished with copies of the two settlements dated 25th March 1964

entered into by the Bank with the said 'Federation' and 'Association', and time was allowed them to study the same, after which Shri Khanna urged that if this dispute were allowed to be withdrawn, it would adversely affect the officers of the Bank, who are the members of his association.

6. Shri N. R. Pandit for the Bank, Shri C. L. Dudhia, President, All India Bank Employees' Federation and Shri K. K. Mundul, Vice-President of the All India Bank Employees' Association, have apposed the submission of Shri Khanna. They have urged that the officers of the Bank are in no way concerned with the dispute under reference; that it was not this Association, nor any officers of the Central Bank of India Ltd., who had raised this dispute, but that this dispute had been raised on behalf of the workmen employees of the Bank by these two Federations.

7. I think there is substance in this contention of the representatives of the workmen and the Bank. As the terms of reference clearly show the dispute referred by Government for adjudication is whether having regard to the directions contained in Para 119 of the Desai Award, the Bank was justified in declaring bonus for 1962 at the rate of 23 per cent on 80 per cent of their basic pay in the case of its workmen, if not, to what relief the workmen were entitled. Now, it was admitted by Shri Khanna, for the All India Bank Officers' Association, that the officers of the Bank, including the workmen officers (who draw a total remuneration of less than Rs. 500/- per month and who are therefore workmen as defined by the Industrial Disputes Act, 1947) were paid bonus for 1962 calculated at 23 per cent of their full basic pay. On the other-hand, the workmen employees had been paid bonus at the rate of 23 per cent calculated on 80 per cent of their basic pay and their demand was that they should be paid higher percentage of bonus on their full basic pay. It is, therefore, clear that the officers of the Bank, including workmen officers, were not the parties for whom or on whose behalf this dispute was raised because they were paid bonus for 1962 at the higher percentage i.e. 23 per cent of their full basic pay. Shri Khanna has sought to rely on one of the terms of settlement relating to the bonus for 1963. But this dispute is limited to the method of calculation of bonus for 1962 and under the terms of settlement, the industrial dispute with regard to the quantum of bonus for the years 1962 and 1963 is not in any manner prejudiced. This reference is being withdrawn by the two Federations representing the workmen, without prejudice to the rights and contentions under the terms of settlement dated 25th March 1964, particularly with regard to the quantum of bonus for the years 1962 and 1963. There is nothing in the application for withdrawal of this dispute, which in my opinion in any manner prejudices the officers' bonus for the year 1962.

8. It is also admitted that both the All India Bank Employees' Association and the All India Bank Officers' Federation have as their members a large number of workmen officers of the Bank. What is surprising is that Shri Khanna could not tell me even the approximate number of workmen officers who are its members, not even how many of them are employed in the Central Bank of India Ltd. It is further admitted that this Association was not in existence on the date this dispute was raised—not even on the date this reference was made to me for adjudication on 9th October 1963.

9. I am more than satisfied that the opposition of this officers' Association is unreasonable and unjustified and that it has no *locus standi* in this dispute. In the result, I allow this reference to be withdrawn without prejudice to the terms of settlement dated 25th March 1964 and the rights and contentions of the parties there-under, and I dispose of the reference accordingly.

Sd./- SALIM M. MERCHANT,  
Presiding Officer.

#### ANNEXURE 'A'

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE No. C.G.I.T. No. 41 of 1963

In the matter of Industrial Dispute *vide* Government of India in the Ministry of Labour & Employment Notification S.O. No. 2084, dated 9th October 1963.

#### BETWEEN

The Management of Central Bank of India Ltd., Head Office Mahatma Gandhi Road, Fort, Bombay-1.

AND

Its workmen represented by the All India Bank Employees' Association, 710, Ballimaran, Chandni Chowk, Delhi-6.

The All India Bank Employees' Association (hereinafter referred to as the "Association") most respectfully submits:

1. The Association has entered into a settlement under Section 12(3) of the Industrial Disputes Act, 1947 with the management of the Central Bank of India Ltd., with regard to payment of bonus for the year 1963. A copy of the said settlement dated 25th March 1964 is enclosed herewith and marked Annexure "A".

2. The Association prays the Hon'ble Tribunal in terms clause No. 3 of the said settlement Annexure "A" to dispose of the present reference as:

"Withdrawn without prejudice to the settlement dated 25th March 1964, marked "A" and the rights and contentions of the parties there-under."

Signed this 30th day of March 1964 at Bombay.

For and on behalf of:  
All India Bank Employees' Association,  
Sd./- K. K. MUNDUL,  
Vice-President.

No objection. We agree the  
reference being withdrawn  
Sd./- C. L. DUDHIA for AIBEF.

We agree the reference  
being withdrawn.  
Sd./ P. C. MEVAWALA.  
Sd./- K. P. MAHAJE.

Sd./- A. K. SHARMA.

Sd./- M. B. GHOTANKAR, Jt. Secretary, AIBEF

ANNEXURE 'A'

## THE CENTRAL BANK OF INDIA LTD.

### Memorandum of Settlement

Memorandum of Settlement arrived at on 25th March 1964 before Shri Teja Singh Sahni, Chief Labour Commissioner (Central), New Delhi, between the Management of the Central Bank of India Ltd. and their workmen as represented by the All India Bank Employees' Association over the issue of Bonus for the year 1963 to the employees of the Central Bank of India Ltd.

#### Representing the Management:

1. Shri F. C. Cooper,  
General Manager, Central Bank of India Ltd.
2. Shri P. C. Mevawala,  
Manager, Central Bank of India Ltd., Bombay Branch.

#### Representing the Employees:

Shri Prabhat Kar, M.P.,  
General Secretary, All India Bank Employees' Association.

#### SHORT RECITAL OF THE CASE

The Management of the Central Bank of India, Ltd. declared Bonus for the year 1963 @ 23 per cent of the basic salary drawn during the year 1963 to Officers and 23 per cent of 80 per cent of basic salary and full amount of special allowance and officiating allowance, if any, drawn during the year 1963 to clerical and subordinate staff. According to the Management, this was necessary as a reference regarding Bonus for the year 1962 paid on the aforesaid basis was already pending before the Industrial Tribunal, Bombay, and any departure from the practice would not be consistent with the legal requirement in the matter. Further the Management could not distribute the Bonus at the uniform rate because such a course would have been improper and inequitable as while salary of the clerical and subordinate staff was revised as per the Desai Award scales with effect from 1st January 1962 and a major portion of the dearness allowance was merged with the basic pay, it was not so in the case of officers in the Central Bank of India,

Ltd. The All India Bank Employees' Association strongly resented against this discrimination and approached the Management to grant Bonus at a uniform rate to all the employees of the Central Bank of India Ltd. As there was no settlement, demonstrations were staged in various branches of the Central Bank of India Ltd. in the country. The Management, while approaching the Chief Labour Commissioner (Central), stated that the employees refused to carry out the normal duties and there was almost complete cessation of work for some hours on a number of days. They also stated that the employees refused to put in overtime which was very essential for balancing the ledger and other important work particularly during the month of March 1964. The Management also stated that the AIBEA who earlier agreed to withdraw all agitation and also to withdraw the reference regarding discriminatory bonus by exchange of correspondence with the Management on 1st February 1964 subsequently failed to carry out the Agreement and the employees thereafter resorted to unconstitutional means and thereby threatened to paralyse the normal functioning of the Bank. The Management also stated that the Cashiers of some of the Branches at Bombay went to the extent of keeping cash unlocked on the counter and some of the cashiers locked their cash drawers with unpaid cheques and withdrawals slips. While repudiating the allegations of the Management, the representatives of the AIBEA stated that the employees of the Central Bank of India Ltd. were very much perturbed over the uncompromising attitude of the Management and their declaring a Bonus at higher rate to the Officers than the one paid to the clerical and subordinate staff, particularly when earlier they had strongly agitated against such discrimination in regard to the rate of Bonus for the year 1962 which was already before the Industrial Tribunal, Bombay.

The Chief Labour Commissioner (Central) had series of meetings separately with the representatives of the Management and the AIBEA in Delhi from 6th to 13th March 1964 and again in Bombay on Saturday, the 21st March 1964. After prolonged discussions, the parties agreed to the following terms of settlement:—

#### TERMS OF SETTLEMENT

1. The Management of the Central Bank of India Ltd. agrees to give Bonus for the year 1963 at the rate of 22 per cent of the basic pay drawn during the year 1963 in the case of officers and at the rate of 22 per cent of the basic pay drawn and full amount of special allowances and officiating allowances, if any, drawn in the year 1963 in the cases of clerical and subordinate staff.

2. The Management of the Central Bank of India Ltd. and the Representatives of the AIBEA agree to approach the Industrial Tribunal for the withdrawal of CGIT No. 41 of 1963 at present before the Central Government Industrial Tribunal, Bombay, in respect of discriminatory Bonus for the year 1962.

3. The parties agree to request the Government to expedite the reference to the Tribunal regarding quantum of Bonus for the year 1962.

4. The AIBEA agrees to forward a statement of demands substantiating their case regarding claim for quantum of Bonus for the year 1963 before the 7th April 1964 to the Management with copy to the Chief Labour Commissioner. The Management will forward their comments in regard to the aforesaid communication of the AIBEA latest by 20th April 1964 to the Chief Labour Commissioner. If the conciliation proceedings before the Chief Labour Commissioner in regard to the quantum of Bonus for the year 1963 fail to reach an amicable settlement, the Government will be requested to refer it for adjudication.

5. The AIBEA agrees to withdraw the agitation and bring back normalcy in the functioning of the Bank as it existed prior to the recent agitation launched by the employees of the Central Bank of India Ltd. by extending all necessary co-operation. With a view to clearing up the arrears (within a period of two to three weeks) the employees will work overtime for two hours a day on all working days if and when required by the Management.

6. The Management of the Central Bank of India Ltd., agrees not to take any action against any employee because of his participation in the agitation in respect of the Bonus issue for the year 1963.



7. The Management agrees to pay 21 per cent (out of 22 per cent of the Bonus agreed in accordance with the Term No. 1 above) by 26th March 1964 to all the employees and the balance of 1 per cent latest by 7th April 1964.

Representing the Employees:

Sd./- PRABHAT KAR.

Representing the Management:

Sd./- F. C. COOPER.

Sd./- P. C. MEVAWALLA.

Witnesses:

- 1.
- 2.

Sd./- TEJA SINGH SAHNI,  
Chief Labour Commissioner (Central).

#### ANNEXURE 'A2'

### ALL INDIA BANK EMPLOYEES' FEDERATION

Circular No. A.I.F./Org-64/9.

Central Office:

26/104, Birhana Road,  
KANPUR-1,  
26th March 1964.

For All Units.

Dear Friends,

#### BONUS DISPUTE—CENTRAL BANK

We reproduce below the agreement arrived at between the Central Bank of India Limited and the All India Bank Employees' Federation (A.I.B.E.F.) before the Chief Labour Commissioner (Central), New Delhi, yesterday, the 25th March 1964, for information of the members.

#### MEMORANDUM OF SETTLEMENT

*Memorandum of Settlement arrived at on 25th March 1964 before Shri Teja Singh Sahni, Chief Labour Commissioner (Central), New Delhi, between the Management of the Central Bank of India Limited and their Workmen as represented by the All India Bank Employees' Federation, over the quantum of Bonus for the year 1963 to the Employees of the Central Bank of India Limited.*

Representing the Management:

- (1) Shri F. C. Cooper, General Manager, Central Bank of India Limited.
- (2) Shri P. C. Mevawalla, Manager, Central Bank of India Ltd. (Bombay Branch).

Representing the Employees:

- (1) Shri V. N. Sekhri, General Secretary, All India Bank Employees' Federation (AIBEF).
- (2) Shri A. K. Sharma, Vice-President, All India Bank Employees' Federation and President, All India Central Bank Staff Federation.

#### SHORT RECITAL OF THE CASE

The management of the Central Bank of India Ltd. declared bonus for the year 1963 @ 23 per cent of the basic salary drawn during the year 1963 to officers and 23 per cent of 80 per cent of basic salary and full amount of special allowances, if any, drawn during the year 1963 to clerical and subordinate staff. According to the management, this was necessary as a reference regarding bonus for the year 1962, paid, on the aforesaid basis was already pending before the Industrial Tribunal, Bombay and any departure from the practice would not be consistent with the legal requirement in the matter. Further, the management could not distribute the bonus at the uniform rate because such a course would have been improper and inequitable as while salary of the clerical and subordinate staff was revised as per the Desai Award scales with effect from 1st January 1962 and a major portion of the dearness allowance was merged with the basic pay, it was not so in the case of officers in the Central Bank of India Limited. The A.I.B.E.F. strongly objected to the discrimination made by the management over payment of bonus and instructed all its affiliates to launch peaceful demonstrations all over the country. The A.I.B.E.F. and its affiliate-unions throughout India also addressed protest letters/telegrams intimating the resentment of their members as a result of the discrimination in bonus for the year 1963 particularly as such

discrimination was strongly resented earlier when the management of the Central Bank of India Ltd., declared similar discriminatory bonus for the year 1962. The management of the Central Bank of India Limited subsequently approached the A.I.B.E.F. to agree to withdraw the reference CGIT No. 41 at present before the Industrial Tribunal, Bombay. The A.I.B.E.F. was agreeable to such arrangement on certain specific conditions but due to various reasons the aforesaid agreement could not be given effect. As no settlement could be reached regarding the discriminatory bonus for the year 1963, the A.I.B.E.F. threatened to start agitation and to take recourse to direct action and to that effect addressed their affiliates to be ready in case the peaceful efforts of the A.I.B.E.F. failed to reach an amicable settlement. The A.I.B.E.F. had also addressed letters to the management of the Central Bank of India Ltd. as well as Chief Labour Commissioner (Central), New Delhi raising the dispute in regard to bonus for the year 1963 both in the quantum and discrimination.

At the instance of the management, further negotiations were held before the Chief Labour Commissioner in Delhi from 6th to 13th March, 1964 and again on 21st March, 1964 in Bombay. The Chief Labour Commissioner had prolonged discussions with the representatives of the Management of the Central Bank of India Limited and the A.I.B.E.F. separately and as a result the parties agreed to the following terms of settlement:—

#### TERMS OF SETTLEMENT

(1) The management of the Central Bank of India Limited agrees to give bonus for the year 1963 at the rate of 22 per cent of the basic pay drawn during the year 1963 in the case of officers and @ 22 per cent of the basic pay drawn and full amount of officiating allowances and special allowances, if any, drawn in the year 1963 in the cases of clerical and subordinate staff.

(2) The management of the Central Bank of India Ltd., and the representatives of the A.I.B.E.F. agree to approach the Industrial Tribunal for the withdrawal of CGIT No. 41 of 1963 at present before the Central Government Industrial Tribunal, Bombay in respect of discriminatory bonus for the year 1962.

(3) Parties agree to request the Government to expedite the reference regarding quantum of bonus for the year 1962, to the Tribunal.

(4) The A.I.B.E.F. agrees to forward a statement of demands substantiating their case regarding claim for quantum of bonus for the year 1963 before the 7th April, 1964 to the management with a copy to the Chief Labour Commissioner. The management will forward their comments in regard to the aforesaid communication of the A.I.B.E.F. latest by 20th April 1964 to the Chief Labour Commissioner with a copy to A.I.B.E.F. The Chief Labour Commissioner will then communicate the date of conciliation proceedings by the 27th April, 1964. If the conciliation proceedings before the Chief Labour Commissioner in regard to the quantum of bonus for the year 1963 fail to reach an amicable settlement the Government will be requested to refer it for adjudication.

(5) The management agrees to pay 21 per cent out of 22 per cent of the bonus agreed in accordance with the term No. 1 above by 26th March, 1964 to all the employees and the balance of 1 per cent latest by 7th April, 1964.

*Representing the Employees:*

Sd./- V. N. SEKHRI, 25-3-1964.

Sd./- AVTAR KRISHAN SHARMA, 25-3-1964.

*Witnesses:*

(1) Sd./-S. K. GOKALE, 25-3-1964.

(2) Sd./- D. K. KAPOOR, 25-3-1964.

*Representing the Management:*

Sd./- F. C. COOPER.

Sd./- P. C. MEVAWALLA.

Sd./- TEJA SINGH SAHNI,

Chief Labour Commissioner (Central).

Please circulate the contents amongst the members and ask them for liberal donations, as the additional bonus, gained by them is due to the efforts of the A.I.B.E.F. alone.

With greetings,

Yours fraternally,

Sd./ V. N. SEKHRI,

General Secretary.

New Delhi, the 27th April 1964

**S.O. 1566.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Labour Court, Dhanbad, in respect of the application filed by Shri Depan Rai, Junior Fitter of the Khalari Cement Works, The Associated Cement Co. Ltd., under section 33A of the said Act, which was received by the Central Government on the 17th April, 1964.

BEFORE THE CENTRAL GOVERNMENT LABOUR COURT AT DHANBAD

APPLICATION No. 20 of 1963.

(In the matter of application under Section 33A of the Industrial Disputes Act, 1947).

Shri Depan Rai,  
Junior Fitter,  
Khalari Cement Works—Applicant.  
*Versus*

M/s. Associated Cement Co. Ltd.,  
Khalari Cement Works—Opposite party.

PRESENT:

Shri N. C. Chatterjee, Presiding Officer  
Sri D. Narsingh appeared for the workman.  
Sri S. S. Mukherjee, Advocate appeared for the opposite party.

STATE: Bihar.

INDUSTRY: Coal.

Dated 10th April 1964

This is a complaint under Section 33A of the Industrial Disputes Act, 1947 by a workman against the management. In this case the applicant above-named states that Reference No. 1 (N.T.) of 1961 is pending before the Central Government National Tribunal, Bombay wherein both the management and workman are concerned. The applicant after having put in over 19 years' service has been dismissed by its letter dated 5th May 1961. In so doing the management did not strictly comply with all the mandatory provisions of Section 33(2)(b) of the Industrial Disputes Act. Thus the dismissal order conveyed to the applicant is *mala fide*, wrongful and unjustified.

The respondent Company—Associated Cement Cos. Ltd., Khalari Cement Works resists the application and contends, *inter alia*, that all the provisions under Section 33 have been complied with and there has been no contravention and that the application is not maintainable. As there has been no contravention of the provision of Section 33 and the Company passed the order of dismissal after having held a proper and fair enquiry giving the delinquent workman all reasonable opportunities to defend himself and having made all necessary payments as required under the law, the instant complaint under Section 33A must fail.

*Point for determination is:*

Is the application maintainable?

DECISION

As this application was taken up, the learned Advocate for the applicant stated before the Court that he would not press this application since the management's application for approval sought to be assailed by this instant application was already refused. As such, the previous dismissal order dated 5th May 1961 does no longer stand and the workman was thereafter reinstated and paid all his dues. This application which is directed against that dismissal order of 5th May 1961 is not pressed.

Thus this application is dismissed for non-prosecution and the ward is one of "no dispute".

Sd./- N. C. CHATTERJEE,  
Presiding Officer,  
Central Government Labour Court,  
Dhanbad.

The 10th April, 1964.

[No. 7/24/60/LRIV.]

*New Delhi, the 1st May 1964*

**S.O. 1567.**—In exercise of the powers conferred by section 88 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts for the period upto and including the 14th January, 1965 the following Central Government employees, now on deputation with the Hindustan Housing Factory Limited, New Delhi, from the operation of the said Act, namely:—

S. No.	Name of the employee	Designation
1.	Shri S. K. Khullar	Accountant.
2.	Shri O. P. Kaushik	Accountant.
3.	Shri O. P. Bhatia	Junior Accountant.

2. The above exemption is subject to the following conditions, namely:—

- (i) the aforesaid factory shall maintain a register showing the names and designations of the exempted employees; and
- (ii) that notwithstanding this exemption, the exempted employees shall continue to receive such benefits under the said Act to which they might have qualified on the basis of contributions paid before the date of exemption.

[No. F. 6(21)/64-HL.]

**S.O. 1568.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Labour Court, Dhanbad in respect of the applications filed by certain workmen of the Reserve Bank of India, under section 33A of the said Act, which was received by the Central Government on the 27th April, 1964.

#### CENTRAL GOVERNMENT LABOUR COURT AT DHANBAD

APPLICATION No. LC. 127 OF 1962

(In the matter of application under Section 33A of the Industrial Disputes Act, 1947).

Shri Jitendra Nath Chatterjee and 17 others—*Applicants.*

*Versus*

Reserve Bank of India, Bombay—*Opposite party.*

**PRESENT:**

Shri N. C. Chatterjee, Presiding Officer.

Applicants represented by the Reserve Bank Employees' Association, Calcutta.

Shri R. Sundaresan, Personnel Officer, Reserve Bank of India, Calcutta represented the Bank.

**STATE:** West Bengal.

**INDUSTRY:** Bank.

*Dated the 21st April, 1964*

This is a dispute concerning non-payment of overtime allowance in terms of the opposite party Bank's Circular Staff No. 1342/27-54, dated the 27th March, 1954 directing its branches to pay overtime wages as per their prescribed rate to their workmen in Classes II, III and IV categories whenever such workmen are required to work and that the said directions were made effective from the 1st April, 1954. By a subsequent Circular Accts. No. 2338/43-57, dated the 2nd July, 1957 addressed to all offices the Bank amended the above rule and decided that with effect from the 1st July, 1957, the offices should pay overtime allowance to the staff by the clock, i.e., according to the hours of extra work done by them. The complainants, workmen of the Bank belonging to the above categories, worked for extra hours in the month of June 1961, at the instance of the Departmental incharges but were not paid their due overtime allowance as per the conditions of service in the Bank and also in terms of the aforesaid Circular, dated the 2nd July, 1957.

The complainants accordingly submitted a representation to the Manager of the Calcutta Office on 31st July, 1961 requesting payment of full allowance for the extra hours of work done by them. The Manager replied that the reduction

in the overtime allowance was effected depending upon the quantum of work done and not on the basis of hours of work done. The complainants being aggrieved by the decision of the Manager appealed to him as per their letter, dated 18th August, 1961 but the appeal was rejected. The complainants, therefore, contend that the Manager in fact altered the service condition relating to calculation and payment of overtime allowance, prejudicially affecting the workmen. Hence the complaint, and the complainants pray for a direction on the Bank to make full payment of overtime allowance on the basis of extra hours of work done at the instance of the departmental incharge for the month of June 1961 and thereafter.

The opposite party Reserve Bank of India put in a written statement denying the allegations in the application of complainants and contend, *inter alia*, that the application is not maintainable as there has been no change in the service condition, nor has the Bank introduced any new service condition regarding overtime work and payment of overtime allowance, that there has been no contravention of the provision of Section 33 of the Industrial Disputes Act and that the application should be dismissed.

#### DECISION

After service of the usual notices on the parties, 21st April, 1964 was fixed for the hearing of the case in Calcutta at the desire of the parties. The case was duly taken up accordingly. At the commencement of the hearing both the parties through their proper representatives put in a petition to the effect that they have amicably settled the matter with a view to maintaining mutual peace and goodwill, on the terms and conditions incorporated in the petition. The terms of compromise appear to be fair, reasonable and lawful and the compromise may be recorded. Since the petition of compromise as per Annexure A do form a part of the award, the terms are not incorporated here and it may be simply stated that the Bank has agreed to pay the overtime wages as originally agreed to.

Thus this dispute is disposed of in terms of the petition of compromise (Annexure A) which do form a part of the award.

This is my award

Sd/- N C CHATTERJEE,  
Presiding Officer,  
Central Government Labour Court,  
Dhanbad

#### ANNEXURE "A"

#### BEFORE THE CENTRAL GOVERNMENT LABOUR COURT AT DHANBAD

APPLICATION No LC 127 of 1962

Shri Jitendra Nath Chatterjee and 17 others, represented by the Reserve Bank Employees' Association, Calcutta—*Applicants*

*Versus*

Reserve Bank of India, Bombay—*Opposite party*

(In the matter of application under Section 33A of the Industrial Disputes Act, 1947)

May it Please the Honourable Court,

The parties to the application have amicably settled the matter with a view to maintaining mutual goodwill on the following terms —

- (1) The Bank agrees to make to the applicants overtime payment by the clock for the actual number of hours worked
- (2) In view of the above the application is not pressed
- (3) No order as to cost

Orders may be passed accordingly

Sd/- R SUNDARESAN,  
Personnel Officer,  
for Reserve Bank of India,  
Calcutta

The 21st April, 1964

Sd/- A SEN,  
Vice-President,  
Reserve Bank Employees'  
Association, Calcutta

21st April, 1964

[No 55(25)/64-LRIV]

*New Delhi, the 2nd May 1964*

**S.O. 1569.**—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 10th day of May, 1964 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the village of Matkambada, Barbil, in Tehsil Champakpur, Police Station Barbil, in the District of Keonjhar in the State of Orissa.

[No. F. 13(12)/64-HI.]

*New Delhi, the 4th May 1964*

**S.O. 1570.**—Whereas the Government of the State of Madras has, in pursuance of the powers conferred by clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), nominated Shri R. Balasubramaniam, Additional Secretary to the Government of Madras, Industries, Labour and Co-operation Department, as a member of the Employees' State Insurance Corporation to represent that Government;

Now, therefore, in pursuance of the provisions of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 1879, dated the 11th June, 1962, namely:—

In the said notification, under the heading "Members", under the sub-heading "(Nominated by the State Governments under clause (d) of section 4)", in item 14, for the entries "Shri R. Tirumalai", the entries "Shri R. Balasubramaniam" shall be substituted.

[No. F. 1(11)/64-HI.]

## ORDERS

*New Delhi, the 1st May 1964*

**S.O. 1571.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to Messrs. S. C. Banerjee & Sons Private Limited, Calcutta and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

## SCHEDULE

Whether the management of Messrs. S. C. Banerjee & Sons (Private) Limited, Calcutta, is justified in treating Sarvashri H. N. Bose, S. K. Ghosh, B. K. Banerjee, S. N. Mondal, U. N. Ghosh, J. K. Dutta, A. G. Dutta, B. G. Ganguly, H. C. Ghosh and M. M. Bose or any of them as casual workers? If not, to what relief are these workmen entitled?

[No. 28/30/64-LRIV.]

**S.O. 1572.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bombay Port Trust, Bombay and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with

Shri M. R. Meher as the Presiding Officer thereof, with headquarters at Bombay and refers the said dispute for adjudication to the said Tribunal.

#### SCHEDULE

Whether the monthly incremental scales of pay of the following categories of Dock Shore Workers need any modification, in the light of the recommendations of the Second Pay Commission, for purposes other than processing of piece-rates, namely, calculation of basic pay and allowances at the time rate, leave salary, provident fund benefits (including special contribution) and other service benefits to:—

- (1) Mazdoor 'A' Category.
- (2) Morpia.
- (3) Baroot.
- (4) Special Morpia.
- (5) Cart and Wagon Unloader.

If so, to what relief are the workmen entitled?

[No. 28/26/64-LRIV.]

*New Delhi, the 4th May 1964*

**S.O. 1573.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Central Bank of India Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Jawan Singh Ranwat shall be the Presiding Officer, with headquarters at Jaipur and refers the said dispute for adjudication to the said Industrial Tribunal.

#### SCHEDULE

1. Whether the action of the management of the Central Bank of India Ltd. in promoting Shri D. P. Sharma and Sri B. L. Sharma to the posts of Treasurer's Representatives in preference to Shri H. R. Sahu, was an act of victimisation of the latter or otherwise mala fide?

2. If so to what relief is Sri Sahu entitled?

[No. 51(73)/63-LRIV.]

**S.O. 1574.**—Whereas the industrial dispute specified in the Schedule annexed hereto is pending before the Industrial Tribunal, Bombay constituted by the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 172, dated the 16th January, 1960;

And whereas a number of other industrial disputes are also pending before the said Industrial Tribunal;

And whereas for ends of justice and convenience of the parties, the said dispute should be disposed of without further delay;

Now, therefore, in exercise of the powers conferred by section 7A and sub-section (1) of section 33B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri M. R. Meher as the Presiding Officer, with headquarters at Bombay, withdraws the proceedings in relation to the said dispute from the Industrial Tribunal, Bombay, and transfers the same to the Industrial Tribunal constituted with Shri M. R. Meher as the Presiding Officer thereof and directs that the said Tribunal shall proceed with the said proceeding from the stage at which it is transferred and dispose of the same according to law.

## SCHEDULE

S. No.	Parties to the dispute	No. of reference	Date of Reference
1.	Bombay Port Trust, Bombay and their workmen.	S. No. 1078	20-3-64

[No. 28/99/63/LR. IV.]

O. P. TALWAR, Under Secy.

*New Delhi, the 30th April 1964*

**S.O. 1575.**—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri N. G. Desai to be an Inspector for the whole of the Union territory of Delhi for the purposes of the said Act, or of any Scheme framed thereunder, in relation to an establishment belonging to, or under the control of, the Central Government, or in relation to an establishment connected with a railway company a major port, a mine or an oil field or a controlled industry.

[No. 20(68)64-PF-I.]

P. D. GAIHA, Under Secy.

*New Delhi, the 1st May 1964*

**S.O. 1576.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Toposi Colliery and their workmen, which was received by the Central Government on the 25th April 1964.

## CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

In the matter of a Reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 (XIV of 1947).

REFERENCE NO. 70 OF 1963

## PARTIES:

Employers in relation to the Toposi Colliery

AND

Their workmen.

## PRESENT:

Shri Raj Kishore Prasad, M.A., B.L., Presiding Officer.

## APPEARANCES:

*For the Employers:* Sri S. S. Mukherjee, Advocate, with Sri P. R. Ghosh, Manager.

*For the Workmen:* Shri P. Pathak, Vice President, Colliery Mazdoor Sabha.

STATE: West Bengal.

INDUSTRY: Coal.

.... Camp: Calcutta, dated the 20th April, 1964

## AWARD

Ministry of Labour & Employment, Government of India, by its Order No. 6/21/63-LR.II, dated the 3rd September, 1963 referred, under Section 10(1)(d) of the Industrial Disputes Act, 1947 (XIV of 1947), to this Tribunal for adjudication, an industrial dispute existing between the employers in relation to Toposi Colliery and their workmen in respect of the matter specified below:

"Whether Shri Sardha Malha, Bailing Mazdoor of the Toposi Colliery, is entitled to get any wages for the period from the 19th May, 1963



to the 16th July, 1963 (both days inclusive) or for any part thereof. If so, what amount is Shri Sardha Malha entitled to recover from the said Colliery."

2. On 20th April 1964 Sri S. S. Mukherjee, Advocate, representing the management and Sri P. Pathak representing the workmen filed a joint petition of compromise and prayed that an award in terms thereof be made.

3. I have read the terms of agreement and am satisfied that they are quite fair and reasonable and in the interest of both parties and, therefore, I accept the same. The reference is accordingly disposed of and an award made in terms of the compromise petition marked Annexure 'A' which is made a part of it.

4. This is the award which I make and submit to the Government of India, under Section 15 of the Act.

Sd./- RAJ KISHORE PRASAD,  
Presiding Officer,  
Central Government Industrial Tribunal,  
Dhanbad.

Camp: CALCUTTA;  
Dated the 20th April, 1964.

#### ANNEXURE "A"

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL, DHANBAD AT CALCUTTA

REFERENCE No. 70 OF 1963

Employers in relation to the Toposi Colliery

AND

Their workmen.

The parties above named beg to submit that without prejudice to the contentions of the parties the above reference has been amicably settled on the following terms:—

1. That Sri Sardah Mallah, the workman concerned in the present reference will be paid half the wages (basic and dearness allowance) for the period from 7th June, 1963 to 16th July, 1963 (excluding the days of rest falling during the intervening period).
2. That the period from 19th May, 1963 to 6th June, 1963 will be treated as if on leave without wages.
3. That the period from 19th May, 1963 to 16th July 1963 will be treated as if Sri Sardah Mallah was on leave with half wages or without wages as stated in paragraphs 1 and 2 above for the purpose of the continuity of his service only.
4. That the parties will bear their own respective costs of the present reference.
5. That Sri Sardah Mallah or anybody on his behalf will have no other claim or demand in the present reference.

It is, therefore, humbly prayed that the present reference may be disposed of on the above terms of compromise and an award passed accordingly.

For Workmen:

Sd./- P. PATHAK,  
20-4-1964,  
Vice-President,  
Colliery Mazdoor Sabha.

For Employer:

Sd./- S. S. MUKHERJEE,  
20-4-1964,  
Advocate.

Sd./- P. R. GHOSH,  
Manager,  
[No. 6/21/63-LR. II.]

**S.O. 1577.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Bhurkunda Colliery of National Coal Development Corporation Limited Post Office Bhurkunda and their workmen, which was received by the Central Government on the 25th April, 1964.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD,**

In the matter of a Reference under Section 10(1)(d) of the Industrial Disputes Act, 1947.

REFERENCE No. 24 OF 1963.

**PARTIES:**

Employers in relation to the Bhurkunda Colliery of National Coal Development Corporation Limited P.O. Bhurkunda

**AND**

Their workmen.

**PRESENT:**

Shri Raj Kishore Prasad, M.A., B.L.,—Presiding Officer.

**APPEARANCES:**

*For the Employers:* Sri D. Narsingh, Advocate, with Sri S. C. Bakshi, Group Personnel Officer.

*For the Workmen:* Sri N. Das, with Sri P. Chakravarty, Advocates.

**STATE:** Bihar.

**INDUSTRY:** Coal.

*Dhanbad, dated the 25th February, 1964*

**AWARD**

Ministry of Labour and Employment, Government of India, by its Order No. 1/13/62-LRII dated the 7th March, 1963, referred, under Section 10(1)(d) of the Industrial Disputes Act, 1947, an industrial dispute existing between the employers in relation to Bhurkunda Colliery of National Coal Development Corporation Limited and their workmen in respect of the matter specified below for adjudication to this Tribunal, which was received on 22nd March 1963.

“Whether the monthly rated workmen employed in Bhurkunda Colliery of the National Coal Development Corporation Limited are entitled to the payment of Project Allowance for the period from the 1st April, 1958 to the 31st March, 1961, and if so, at what rate?”

2. The workmen concerned filed their written statement on 30th May 1963, through their Union, Indian Government Railways' Coal Department Employees' Association, Bhurkunda. The management also filed its rejoinder on 15th July 1963, through Shri S. N. Singh, Deputy Superintendent of Collieries, Bhurkunda.

3. The case of the workmen in their written statement was that Bhurkunda Colliery is situated in the interior at about a distance of 12 miles from Ramgarh, and is conspicuous by absence of essential amenities, such as food, shops, schools, accommodation, water supply, etc., as a result of which the workmen working there from the time of development, which was started in April 1958 were deprived of the basic amenities of life and subjected to isolated and hard living and, therefore they, being monthly rated workmen, working in the Bhurkunda Colliery, were entitled to the project allowance for the period from 1st April 1958 to 31st March 1961 at the rate of 20 per cent of their pay as was being paid at the relevant time to the workmen of other collieries of National Coal Development Corporation, that is, in Saunda, Sayal, Giddi (A) and (C), near the present collieries and also in Bhurkunda, Kathara and Korba Collieries where the Corporation is paying Project Allowance in all these collieries which belonged to National Coal Development Corporation and, therefore, there was no reason to discriminate between the workers of the colliery in dispute and the workers of the other collieries belonging to the Corporation; that Bhurkunda Colliery was taken over by National Coal Development Corporation in October 1956 and the development work in the colliery began in right earnest early 1957 after a spell of hectic activities in the shape of clearing jungles, etc., before it reached the stage of development; that the monthly staff, including the workmen concerned, who are also monthly paid staff, have been making a grievance due to non-payment of project

allowance; that the matter was taken up by their Union, which wrote a letter on 26th September 1958 Exhibit W to the Managing Director of the Corporation; that Shri N. Chandra, Assistant Superintendent of Collieries, in his letter dated 2/3 February 1959 Exhibit W.2, to Sri K. P. Narayan, Director of Administration, felt that the claim of the workmen concerned for the grant of project allowance at Bhurkunda was legitimate and justified, and, therefore, recommended that further delay in the finalisation of the issue should not be made; that the Deputy Chief Mining Engineer, Sri K. S. R. Chari, Bhurkunda Colliery, also in his letter dated 28th November 1960 (Exhibit W. 6) to the C.M.E. found that there was good justification for payment of project allowance to the monthly paid workmen of Bhurkunda Colliery but although recommended by the aforesaid officer of the Corporation no project allowance was granted for the period from 1st April 1958 to 31st March 1961. The workmen in their written statement, in para 14 specified several grounds on which the demands of workmen concerned for project allowance for the relevant period at the rate of 20 per cent of their pay ought to be conceded by the Corporation and given effort to.

4. The case of the Corporation, however, in its written statement was that the dispute raised by the Union is very much belated seeking to give retrospective effect and, therefore, it was bad in law and unfair and unjustified; that the management of Bhurkunda Colliery and its workmen, represented by the various Unions, including the Union in question, were parties to the Coal Award which was in force since 26 May 1956 and given by the All India Tribunal (Colliery Disputes) and also to the decision of the Appellate Tribunal on appeal against the aforesaid Coal Award dated 29th January 1957, and one of the issues raised therein related to the revision of the then existing wage structure in the coal industry and the Coal Tribunal having prescribed the wage structure for all categories of employees in the coal mines in the country including the Bhurkunda Colliery and the said award being in force and in operation during the period in question, namely, from 1st April 1958, to 31st March 1961, the present claim was barred by time and barred by the principles of *res judicata*; that the Corporation granted an *ex gratia* payment as Project Allowance to its monthly rated employees from 1st April 1961 onwards; that the allegation of the workmen that essential civic amenities are conspicuous by their absence in Bhurkunda Colliery is not correct, in that, the Bhurkunda Colliery was not a new or virgin colliery started from scrap but it was an old Colliery, previously under the management of the Railway Board till 1st June 1944, whereafter it was taken over by the Ministry of Supply and eventually by the Ministry of Production, Government of India, and the workmen of the colliery had been enjoying all the amenities which the Colliery had been providing; that subsequently the management of the running colliery was taken over by the Corporation on 1st October 1956 and, therefore, it is not correct to allege that the colliery had lacked the basic amenities of life, like, road, houses, water supply, medical facilities etc; that although it is not the responsibility of the Corporation, as employers of labour employed in its collieries, to provide for its workmen civic amenities, like, good roads, transport system, markets, shops, schools, housing, medical aid, water supply etc., as claimed by the workmen as the responsibility to provide the same was entirely of the State and not of any employer, even so, the management has done its best and is doing and continuing its efforts to provide its workmen with all possible comforts consistent with its financial position; that the management has provided houses for as many of its employees as possible, constructed additional roads and maintained hospital and dispensaries, provided drinking water for its employees and schools for their children, constructed shops and has thus done and has been doing all it can to improve the living conditions of its employees and to look after their general welfare as also the Welfare of their families; that the fact that the monthly paid employees of the other collieries of the Corporation mentioned by the workmen in their written statement have been granted by the Corporation the project allowance at a certain rate at its own initiative, does not entitle the monthly rated workers at Bhurkunda also to claim any project allowance as of right; that the other collieries of the Corporation named by the workmen in their written statement were not parties to the Coal Award or to the Appellate Decision as each one of them was entirely a new colliery which was developed in a completely virgin area where no amenities whatsoever had existed, and, therefore, the Corporation granted a Project Allowance since before 1st April 1958, which fact, however, is not relevant for the present proceedings; that, therefore, the claim of the workmen concerned for project allowance for the material period is unjustified and cannot be allowed. The Corporation in its written statement in para 43, dealt with all the grounds *seriatim* which were given by the workmen in para 14 of their written statement as justification for grant of project allowance.

5. This case, at the express request of both parties, was fixed for final hearing at Ranchi on 19th February 1964 and when the case was taken up there for

hearing, Sri D. Narsingh, Advocate, with Shri S. C. Bakshi, Group Personnel Officer, appeared for the management and Sri N. Das, Advocate, with Sri S. P. Chakravarty, Advocate, appeared for the Union, which represented the workmen concerned. Both the parties filed documents, which were marked Exhibits W to W21 on behalf of the workmen and Exhibits M to M10 on behalf of the management. Both parties closed their oral evidence on 20th February 1964 and arguments on behalf of the workmen were also heard in part at Ranchi, but at the request of Sri D. Narsingh, appearing for the Corporation, the case, with the consent of the other side for further arguments of the management was fixed at Dhanbad on 24th February 1964.

6. Both the parties examined one witness each. Sri R. R. Singh, General Secretary of the Union, who is also working as Junior Accountant of the Bhurkunda Colliery, was examined as W.W.1 on behalf of the workmen. Sri S. N. Singh, Deputy Superintendent of Collieries, who was also Project Officer of Bhurkunda Colliery, was examined as M.W.1 on behalf of the management.

7. On the case of the parties the admitted facts are these:

The monthly paid staff of the Bhurkunda Colliery, as will appear from Exhibit W.11, Resolution of the Board of Directors dated 30-3-1961, are being paid the Project Allowance at 10 per cent of their pay to those who joined on or after 1-4-1958 and at 5 per cent of their pay to all those who were posted at the Bhurkunda Colliery, with which we are concerned, prior to 1-4-1958. From 1-4-1963, however, all the monthly paid staff, who are working from before 1-4-1958 or working after 1-4-1958, are paid Project Allowance at the rate of 5 per cent of their salary. During the period 1st April 1958 to 31st March 1961, with which we are concerned, no Project Allowance whatsoever was given to the monthly paid staff of the Bhurkunda Colliery including the workmen concerned in this reference. The number of monthly paid workers who were working in Bhurkunda Colliery from before April 1958 is 200 and the number of those workers who were working after April 1958 in the Bhurkunda Colliery is 380. The monthly paid staff of the other collieries, that is, Saunda, Sayal, Gidi A and C belonging to the Corporation, who are the owners of the collieries and also Bajra, Kathara Collieries, Project Allowance is being given at the rate of 20 per cent of their salary from the date development started, but on the evidence of M.W.1, Shri S. N. Singh, from April 1963 Project Allowance has now been reduced in those collieries also but he could not say to what extent. On the evidence of M.W.1 Sri S. N. Singh, development starts with the clearance of jungles, providing communication and the like and as the development increases the Project Allowance decreases and it depends on the facts of each particular case and Project Allowance is paid the moment the project work starts. For project work first is planning and then development, that is, implementation of planning. On the evidence of Shri S. N. Singh M.W.1 other collieries of the Corporation, namely, Sayal is 5 miles, Gidi (A) 2½ miles, Saunda 1½ miles from Bhurkunda and NCDC Saunda and Gidi (A) Collieries are adjoining to Bhurkunda Colliery separated by Nakari and Damodar rivers i.e. one river intervenes between Bhurkunda and Gidi "A" and another river intervenes between Bhurkunda and Saunda.

8. The Corporation has filed Charts Exhibits M to M.3. Exhibit M contains a list of amenities existing prior to April 1958 at the Bhurkunda Colliery. Exhibit M.1 contains a list of additional amenities introduced between April 1958 and March 1961 at the Bhurkunda Colliery. Exhibit M.2 is a statement of strength of monthly paid staff, total number of quarters allotted and its percentage month-wise from January 1958 to March 1961 at the Bhurkunda Colliery. Exhibit M.3 is a statement of coal raising from quarter ending July 1958 to March 1961 at Bhurkunda Colliery.

The workmen also have filed a statement in the shape of a Chart Exhibit W.7 showing the raisings and despatches of coal from the year 1954 to 1960 of Bhurkunda Colliery. Exhibit W.8 is a statement showing the position of monthly paid and weekly paid employees of Bhurkunda Colliery from the year 1954 to 1962. Exhibit W.10 is the comparative statement showing the population, existing amenities, etc., prepared when required by the Conciliation Officer, in Bhurkunda Colliery and other Collieries owned by National Coal Development Corporation. Reference to these charts of the parties will be made later on while deciding the question of justification of the demand for granting Project Allowance by the workmen concerned.

9. It would be useful to set out briefly the history of the disputes between the parties on the question of Project Allowance demanded by the workmen.

In order to appreciate the letters Exhibits W.2 and W.6, in which the competent officers of the National Coal Development Corporation were satisfied about

the decision for payment of Project Allowance and also to know the facts leading upto the resolution of the Board Exhibit W.11 by which the Project Allowance was allowed with effect from 1-4-1961, it is necessary to state the material facts which are these:

On 26-9-1958 for the first time after the development started in 1958 the Union sent a letter Exhibit W to the Managing Director of the Corporation stating therein that the payment of Project Allowance at the rate of 20 per cent of pay to the monthly paid staff of Bhurkunda Colliery has been withdrawn since long without any reason and, therefore, the delay in not granting Project Allowance would not be justified. It was further mentioned therein that Project Allowance is being paid to the monthly paid staff of the other collieries of the Corporation, namely, Korba, Kathara, Gidi, Bistrampur, Jhillmili, Saunda and Bachra, and, therefore, a prayer was made for the payment of Project Allowance as great dissatisfaction is spreading amongst the staff. The receipt of this letter is admitted by the management in para 7 of its written statement. But in para 38 it said that the payment was not justified. On 15-11-1958 the Union again wrote a letter to the Managing Director drawing his personal attention Exhibit W.1 to its earlier letter Exhibit W sent by the Union and wanted to know the management's decision at an early date as this non-payment of Project Allowance to the monthly paid staff of the Bhurkunda Colliery had created a discontent amongst the staff. In this letter Exhibit W.1 the Secretary of the Union also mentioned the existing amenities available in this colliery but said that they were not at all sufficient for the employees living in jungle area. It was further stated therein that the amenities available at Korba colliery are identical to those at Bhurkunda Colliery and that when employees at Korba are being paid Project Allowance there was no sufficient reason to withdraw the same payment in respect of the employees of the Bhurkunda Colliery. In that letter Exhibit W.1 a copy of the resolution passed by the Union on 2-11-1958 was also appended. On 20-11-1958 Sri N. Chandra, Assistant Superintendent of Collieries, Bhurkunda Colliery, wrote a letter Exhibit M.5 to Sri K. P. Narayan, Director of Administration, inviting reference to the letter of the Chief Mining Engineer dated 31-10-1958 addressed to Sri Narain on the question of Project Allowance and asked him to communicate his views. Sri Chandra in this letter Exhibit M.5 further drew attention of Sri Narain to the letter of the Union Exhibit W.1 and expressed his opinion in the following words:

"Bhurkunda being the venue for the gigantic development project operations under the Karanpur fields, I personally feel, that the demand for the grant of project allowance, to the officers and staff of this colliery, is fully justified in view of the absence of normal amenities. I am sure, that the grant of Project Allowance will definitely serve as an impetus towards better production."

On 2/3-2-1959 Sri N. Chandra wrote another letter to Sri Narain Exhibit W.2=M.6 inviting a reference to his earlier letter Exhibit M.5 regarding the grant of Project Allowance to the officers and staff of the Bhurkunda Colliery and also drawing Sri Narain's attention to the letter of the Union Exhibit W.21 dated 15-1-1959 sent by the Secretary of the Union to the Managing Director inviting attention of the Managing Director to the Union's previous letters Exhibits W and W.1 and requesting him to give top priority. Sri N. Chandra in his aforesaid letter Exhibit W.2=M.6 reiterated his opinion in the following words:

"As the claim for the grant of Project Allowance at Bhurkunda where existing amenities are for outweighed by the essentially required facilities. I feel that further delay in the finalisation of the issue will definitely lead to aggravation of discontent amongst the workers."

"Hope this will receive your personal attention."

It may be mentioned that copy of the letter of Sri N. Chandra dated 2/3-2-1959 has been filed by both parties. One filed on behalf of the workmen is marked Exhibit W.2 and the other on behalf of the management is marked Exhibit M.6.

The management not having paid any heed to the repeated requests of the Union contained in Exhibit W and W.1 and W.20 in spite of recommendations of its officers, the matter was taken up by the Conciliation Officer (Central). On 15-6-1959 the Conciliation Officer with reference to the letter of Sri N. Chandra, Assistant Superintendent of Collieries, Exhibit W.2 dated 2/3-2-1959, wrote a letter Exhibit M.7 to the Director of Administration Sri K. P. Narain enquiring from him whether the Project Allowance has since been granted to monthly paid staff of Bhurkunda Colliery. On 7-9-1959 the Conciliation Officer sent a reminder Exhibit M.8 to the Director of Administration to reply to this letter dated 15-6-1959 Exhibit M.7. On 16-11-1959 the Conciliation Officer sent another reminder in

continuation of his first two letters Exhibits M.7 and M.8, to the Director of Administration saying that the matter has been pending for a long time and a reply therefore may be sent without any further delay. This letter is Exhibit M.9. On 1-1-1960 the Deputy General Manager sent a letter to the Conciliation Officer Exhibit M.10 in reply to the letter of the Conciliation Officer dated 16-11-1959 Exhibit M.9 that the question whether any Project Allowance be allowed to the employees working in the Bhurkunda extension collieries has been examined and considering the conditions existing at these collieries there is no fit case for the grant of such an allowance. Copy of this letter Exhibit M.10 has also been filed by the workmen which is marked Exhibit W.16. On 28-11-1960, Sri K. S. R. Chari, Deputy Chief Mining Engineer, wrote a letter to the Chief Mining Engineer Exhibit W.6 inviting his attention to the letter No. 5993, dated 1-8-1960 requesting consideration for the grant of Project Allowance to the employees of Bhurkunda Colliery and in that letter Exhibit W.6 Sri Chari expressed his opinion in the following words:

"As we are coming to the end of the second plan period, a very early decision on this is requested. A serious discontent is prevalent among the employees due to this allowance having been not granted *so far as amenities of life are concerned, are no better than those pre-several grounds.* I have had occasion to discuss this matter with the Managing Director also and I have every hope that the request of the employees for such allowance will be very favourably considered at an early date."

In spite of the letter Exhibit M.10=W.16 dated 1-1-1960 from the Deputy General Manager to the Conciliation Officer saying that it had been decided that Project Allowance will not be allowed, on 11-4-1961 a letter Exhibit W.11 was sent by the Administrative Officer to the Deputy Superintendent of Collieries, Bhurkunda, on the question of grant of Project Allowance to the employees of the Bhurkunda and Kurasa Collieries. In that letter the Resolution of the Board of Directors passed on 30-3-1961 was appended for information and necessary action. According to the resolution of the Board, as mentioned earlier also, 10 per cent of pay was given to all the employees who joined either of these collieries, namely, New Bhurkunda, with which we are concerned and new Kurasa Collieries, on or after 1-4-1958 and 5 per cent to those employees who were posted at either of these two collieries prior to 1-4-1958.

On 26th June, 1961 a letter Exhibit M. 4 was sent by the Secretary of the Board to the Secretary of the Union acknowledging receipt of its letter No. 524, dated 3rd May 1961 on the question of Project Allowance to employees of Bhurkunda Colliery and the Secretary informed that the rate of Project Allowance and the date from which it is to be applied had been determined after fully considering all the aspects of the same.

On 23rd August, 1961 another letter was sent by the Deputy General Manager to the Secretary of the Union on the question of Project Allowance to the employees of Bhurkunda Colliery informing him that with reference to his letter No. 524, dated 3rd May, 1961 a reply has already been sent, meaning Exhibit M. 5. Thereafter, there was a settlement arrived at in the course of the conciliation proceedings held at Ramgarh on 23rd December, 1961 between the management and the workmen concerned through their respective representatives and a memorandum of settlement was recorded and signed on 1st January, 1962 in which under item No. 3 it was mentioned that the "Deputy Superintendent of Collieries, Bhurkunda, conveyed that he has full sympathies in this case but expressed that he was not competent to dispose of the case favourably or grant any project allowance or waive it." The Conciliation Officer on 18th May, 1962 submitted his failure of conciliation report setting out the demands made by the workmen concerned and the case of the management on the question of grant of project allowance to the monthly paid staff of Bhurkunda Colliery and annexed to his report the statement Exhibit W. 10 and also stated the various points raised by the Union in its statement of demands. The present reference thereafter was made to this Tribunal on 7th March, 1963.

10. It may be mentioned at the outset that the management was not prepared to give project allowance even at the rates which were in force from 1st April 1961 as mentioned in Exhibit W. 11, on the ground that the Bhurkunda Colliery, with which alone we are concerned, was previously owned by the Railway Board but its management was taken over by the Corporation on 1st October, 1956 and the new collieries were started at Bhurkunda where already existed old collieries and where therefore, existed all the facilities and amenities necessary for such new collieries, in that, there were no jungles, there were medical facilities, there were

market facilities, there were transport facilities, there were schools and all other necessary amenities required and as such question of granting of Project Allowance did not arise during the period under consideration, namely, April 1958 to 31st March 1961. The management, however, admitted that the absence of the above facilities may be basis for allowing project allowance in new areas, where new projects are taken up, which are virgin, such as, Gidi A, Gidi C, Sayal, which are all near Bhurkunda and where Project Allowance of 20 per cent of pay is granted because these facilities did not exist as they existed in the Bhurkunda area. M.W. 1, admitted in his cross-examination, at page 5, that Project Allowance is paid the moment the project work starts, by which he meant planning and development, that is, implementation of planning, which is the first thing in a newly started project and further said that in new project monthly paid workers were getting project allowance of 20 per cent from the date development work started, but said that, most probably, as the development increases the project allowances decreases and further that when development started in Bhurkunda no project allowance was allowed for the simple reason that if in an existing project any new seam of coal is opened and there is no absence of the facilities, such as, communication, school, and the like, and there is no jungle it is called development of that seam but Corporation does not give Project Allowance.

11. The crucial question for determination is whether the facilities mentioned by the workmen and admitted by the management to be necessary for any development work were short, because on the ground of shortage and inadequacy of these facilities Project allowance is claimed. If it is found that these facilities are short of requirements then the question of quantum of the Project Allowance will arise. The fact, that if Project Allowance is allowed at 20 per cent from 1st April, 1958 to 31st March, 1961 the consolidated sum payable by the management to the workmen concerned in this reference would come to about three lakhs of rupees cannot deter the Tribunal in determining the question of shortage of facilities when it is admitted by both parties that Project Allowance is allowed at 20 per cent only when there is absolutely absence of these facilities and at less rate when there is shortage of accommodation.

The fact, as mentioned earlier, that in new project areas mentioned above which are also owned by National Coal Development Corporation, project allowance of 20 per cent is paid to all the monthly paid staff of those collieries is not disputed but the case of those collieries is said to be no analogy for the simple reason that those are entirely new projects in which development work has been started and no old project existed there.

12. The fact that there is shortage of amenities had been admitted by Sri S. N. Singh, Deputy Superintendent of Collieries, who was examined on behalf of management as M.W. 1. For instance, M.W. 1, at page 4 of his deposition, said that some staff were given re-constructed *Dhowrahs* though they were entitled to L-B and L-C quarters, because those types were not available. M.W. 1 further admitted that in April 1961 Project Allowance was granted, as mentioned in Exhibits W. 11, because there was an increase in population and the existing facilities, such as, communication, roads, houses, hospitals, schools, market facilities, were not able to cope with the population. In April 1963 Project Allowance decreased because more facilities of the above nature came up. The fact, therefore, that there is shortage of at least quarters and accommodation is explicitly admitted by M.W. 1.

The management has filed a list of amenities Exhibit M which were in existence prior to April 1958, but unfortunately the registers on the basis of which this chart was prepared, have not been filed although they are now in possession of the Corporation. M.W. 1 admitted that is Head Clerk, who was present in Court, during the examination of M.W. 1, assisted him in preparing these facts and figures on the basis of which written statement was prepared but even this Head Clerk Sri Choudhury, was not examined. M.W. 1 further admitted that charts, which have been filed by the management, Exhibits M to M. 3 under the signature of M.W. 1, were not prepared at the time of filing of the written statement because records had to be searched for preparing these charts. But in the same breath he later on said that written statement was drafted after seeing those records on the basis of which charts were prepared. In these circumstances, in the absence of the original registers and records, on the basis of which these charts Exhibits M to M. 3 were prepared and in the absence of the evidence of the Head Clerk, who prepared them and assisted M.W. 1 in preparing them, I am unable to place full reliance on these charts and to hold that they represent the correct state of affairs. M.W. 1 admitted that Shri N. Chandra, who made the recommendation in his letter dated 2/3rd February, 1959 Exhibit W. 2, and Sri Chari, who

also made the recommendation on 28th November, 1960 Exhibit W. 6, for grant of Project Allowance, were also Project Officers and were predecessors to M.W. 1. M.W. 1 stated that he could not say if in 1958 miners' quarters were constructed but said that they were constructed in 1959 and 1960. It is true that recommendations of Sri Chandra, contained in Exhibit W. 2, and of Mr. Chari, contained in Exhibit W. 6, were not binding on the superior officers, as deposed to by M.W. 1, but when it is not the case of the management that Sri Chandra and Sri Chari were in collusion of the workmen and were not honest officers or were condemned officers of the Corporation, I cannot understand why, when they made these recommendations in 1959 as well as in 1960 and in clear and specific terms communicated their definite opinions to the authorities concerned that: *"existing amenities are far out-weighted by essential required facilities (Exhibit W. 2) and that Project Allowance has not been granted so far even though there is good justification for such payment on several grounds."* (Exhibit W. 6), they, should not have been implemented. These two letters Exhibit W. 2 and W. 6 clearly show (1) that the existing facilities and amenities were not sufficient and fall short of the requirements and were far out-weighted by the essential requirements; (2) that in April 1959 as well as in November 1960 there was good justification for granting of project allowance on several grounds; and, (3) that the two predecessors of M.W. 1 recommended, one in 1959 (Exhibit W. 2) and another in November 1960 (Exhibit W. 6) for grant of Project Allowance for 1958, and, therefore, it is difficult to accept the evidence of M.W. 1 and to hold that prior to April 1961 and on or after April 1958, when the development work started in this Bhurkunda area, the existing facilities were sufficient as is the case of the management.

The workmen have also filed charts Exhibits W. 7, W. 8 and W. 10 to justify their demands and to show that there has been a rise of population and rise of raisings. According to Exhibit M. 2 in January 1958 the total strength of staff was 208 and total number of quarters was 164 whereas in March 1961 the total strength staff was 392 and total quarters were 240, whereas, according to Exhibit W. 8 the total number of monthly paid employees in 1954 were 170 and total number of weekly paid staff was 1500 and in 1958 the total number of monthly paid was 208 and total of weekly paid was 2598 and in 1961 the total number of monthly paid employees was 380 and total number of weekly paid staff was 3613 and in 1963 the total number of monthly paid staff was 435 and the number of weekly paid staff was 3932. There is, therefore, not much difference in Exhibit M. 2 and W. 8 regarding the strength of staff and workers. Likewise, according to Exhibit M. 3 raising of coal in July 1958 to September 1958 in the quarter ending July was Tons 81,132-6 which increased to Tons 1,80,513-6 in April 1959 to June 1959, and in January 1961 to March 1961 it increased to Tons. 3,81,543-6. Workmen have also filed a document Exhibit W. 7 showing the raisings and despatches from which it appears that in 1958-59 the raising was 4,37,534 tonnes and in 1960-61, 8,52,641 tonnes whereas the despatches in 1958-59 was 4,18,643 tonnes and in 1960-61, 6,00,044 tonnes. The workmen in Exhibit W. 7 have also given figures of overburden removal according to which in 1958 it was 1,00,000 C. yards and in 1961, 1,50,000 C. yards.

From the figures supplied both by the management and the workmen, it is clear that there has been increase in the population as well as increase in the raisings and in the despatches and also in the total number of quarters but on the chart Exhibit M. 2 itself it is also proved that the existing quarters are not sufficient for all the workmen concerned, because in January 1958 the existing number of quarters was 79 per cent of the staff whereas in March 1961 it served only 61 per cent of the staff.

13. It is true that in spite of the two reports and recommendations of the Project Officers Exhibit W. 2 and W. 6, the Board of Directors decided, as late as 30th March, 1961, to grant Project Allowance but it granted project allowance at a lower rate only from 1st April, 1961. The Resolution of the Board, as mentioned in Exhibit W. 11, is very significant and that also supports the case of the workmen that the existing facilities are not sufficient. The Resolution of the Board, dated 30th March, 1961 as reproduced in Exhibit W. 11 is to the following effect:

*"The Board agreed that on account of the enormous expansion at Bhurkunda and Kurasia Collieries as a result of the opening of New Bhurkunda and New Kurasia Mines the living conditions in these two collieries in so far as amenities of life are concerned, are no better than those prevailing in other new collieries as it had not been possible to provide, basic amenities i.e. housing, water supply, electric supply schemes etc.*



*as envisaged in the two project reports."* Resolved that Project Allowance at the rates indicated below be and are hereby granted to employees of the Corporation stationed at these two collieries with effect from 1st April 1961.

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| <p>"(i) For employees who joined either of these collieries on or after 1st April, 1958.</p> <p>(ii) For employees who were posted to either of these collieries prior to 1st April, 1958.</p> | <p>50% of the full rates admissible to other New Projects.</p> <p>25% of the full rates admissible to other New Projects."</p> |
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The Board it appears accepted the recommendations of the two project officers contained in W. 2 and W. 6 but instead of granting project allowance from 1st April, 1958, it granted only from 1st April, 1961, without assigning any reason why it was not granted with effect from 1st April, 1958, as demanded by the workmen and by the Union in its first letter sent on 26th September, 1958 Ext. W. The Board itself accepted the position that on account of the enormous extension of Bhurkunda and Kurasia Collieries the position of the living conditions in the new Bhurkunda mine and new Kurasia mine, which had been opened, in so far as the amenities of life are concerned were no better than what are stated in the two projects reports. This also, in my opinion, supports the case of the workmen that the demand of the workmen for granting Project Allowance during the relevant period was justified.

It is worthy to remember that in spite of the Board's Resolution, dated 30th March, 1961, the workman continued to agitate and demanded project allowance from 1st April, 1958 to 30th March, 1961 prior to 1st April, 1961 from which project allowance has been given as will appear from the Conciliation Officer's report. It appears from the failure of conciliation report that before the Conciliation Officer the Union moved the demand and stated that it would be satisfied if the full Project Allowance of 20 per cent was granted to workmen who joined Bhurkunda on or after 1st April, 1958. But the management did not accept these terms and stated before the Conciliation Officer that excepting for houses the existing facilities were shared by new workers also. As the management did not accept the concessional rates put forward by the workmen, the conciliation failed.

14. It was contended by Sri Narsingh, that the demand of the Union made on 26th September, 1958, Exhibit W, was rejected on 1st January, 1960 Exhibit W.6-M. 10, and, therefore, it is not correct that the demand made by the Union in Exhibit W resulted in the Board's Resolution of 30th March, 1961 Exhibit W. 11. This contention of Sri Narsingh seems to be correct. It appears that the Secretary of the Union sent a copy of the letter dated 26th September, 1958 Exhibit W. to Sri N. Chandra, Assistant Superintendent of Collieries, Bhurkunda. Likewise, a copy of the second letter dated 15th November, 1958 Exhibit W. 1 sent by the Secretary of the Union to the Managing Director was also sent to Sri N. Chandra, Assistant Superintendent of Collieries, Bhurkunda and to the C.M.E. quoting therein the Resolution passed by the Union on 2nd November, 1958 regarding the grant of project allowance. On the basis of the letter dated 15th November, 1958 Exhibit W. 1 Sri Chandra sent a letter dated 20th November, 1958 Exhibit M. 5 to Sri K. P. Narain, Director of Administration, recommending grant of project allowance. In this letter Exhibit M. 5 there is a reference also to the Chief Mining Engineer's letter dated 31st October, 1958 to the Director of Administration on the question of grant of project allowance and asking his views. When no reply was received from the Director of Administration to the letter Exhibit M. 5 Sri Chandra wrote another letter dated 2nd/3rd February, 1959 (Ext. M. 6-W.2) which has been quoted earlier, when the Director of Administration invited his attention to his D.O. Exhibit M. 5 and also to the letter of the Union, dated 15th January, 1959 Exhibit W. 21 and in this letter Exhibit M. 6 Sri Narain made his recommendation and sent a copy of the letter Exhibit M. 6-W.2 to the Conciliation Officer. The Conciliation Officer on 15th June, 1959 sent a letter Exhibit M. 7, with a copy to the Regional Labour Commissioner's office with reference to his letter dated 25th May, 1959, and also to the Assistant Superintendent of Collieries for information and in Exhibit M. 7 the Conciliation Officer enquired from the Director of Administration as to whether the Project Allowance has since been granted. The Conciliation Officer sent a reminder dated 7th September, 1958 Exhibit M. 8 in which he referred to his earlier letter Exhibit M. 7 and wanted reply from the Director of Administration. Conciliation Officer sent a third letter dated 16th November, 1959 Exhibit M. 9, referring therein to his earlier letters Exhibits M. 7 and M. 8, and, enquired and wanted a reply from the Director of Administration as the question of grant of project allowance has been pending for a long time. Copies of the letters

Exhibits M. 8 and M. 9 were sent also to Sri N. Chandra, Assistant Superintendent of Collieries. In reply to all the letters aforesaid, the Deputy General Manager informed the Conciliation Officer on 1st January, 1960 by a letter Exhibit W. 16 saying that it has been decided by the Corporation that there is no fit case for grant of such an allowance and referred therein to the earlier letter of the Conciliation Officer, dated 16th November, 1959 Exhibit M. 9. These facts clearly support the contention of Sri Narsingh that the demand of the workmen for granting project allowance for the years preceding April 1961 was rejected. I may, however, mention that in Exhibit M. 10-W. 16 beyond saying that:

“Considering the conditions existing in these collieries it had been decided that there was no fit case for grant of such an allowance,”

on specific reason has been given for rejecting the grant of Project Allowance for the years under reference. But this did not work as an estoppel against the workmen who continued to agitate their demands.

15. The further argument of Sri Narsingh that a second demand was made by the Union on 5th April, 1960 by letter Ext. W. 3, sent by the Union to the Conciliation Officer, with a copy to the Managing Director, Deputy General Manager and the Assistant Superintendent of Collieries and others, which led to the recommendation of Sri Chandra on 28th January, 1960 (Exhibit W. 6) leading to the Board's Resolution Exhibit W. 11 of 30th March, 1961 by which Project Allowance was granted at the modified rate with effect from 1st April, 1961, also seems to be correct, but I do not think it has any effect on the present question.

16. Sri Narsingh then contended that the present claim of the workmen is not tenable because the Coal Award is in force and in operation. He referred in this connection paras 728 to 752 of the Coal Award and also to page 115 and para 317—319 of the Labour Appellate Tribunal's decision in order to show that they default with monthly staff of the State Collieries of which Bhurkunda was one of them and the Coal Award has completely dealt with all kinds of emoluments paid to the monthly paid staff. It was, however, conceded by Sri Narsingh that the question of granting of Project Allowance was not specifically raised before the Coal Tribunal and, therefore, it did not specifically deal with it in the award or the L.A.T. Decision, in spite of the fact that admittedly Bhurkunda, being one of the State Railway Collieries, was a party to the Coal Award. The contention of Sri Narsingh that nothing can be added during the pendency of an award when it is in operation is correct. But his contention that the Coal Award having dealt with all emoluments of monthly paid staff, the mere fact that project allowance is not specifically mentioned therein is not sufficient in law to entitle the workmen concerned in this colliery, which was a party to the Coal Award, to raise this claim during the operation of the Coal Award is, in my opinion, not tenable. I cannot understand how when a specific demand for grant of Project Allowance was not raised before the Coal Tribunal and, therefore, it was not the subject matter of its decision or award, can it be argued that by implication the Coal Award must be deemed to have dealt with also the question of grant of project allowance and rejected. It should be remembered that project allowance is granted only when a project is taken up. It is not granted as a matter of course to all the monthly paid staff in collieries when the project development does not arise. I would, therefore, hold that the Coal Award is no bar to the raising of the present claim by the workmen concerned.

17. It was then contended by Sri Narsingh that the claim was belated, and, therefore, the reference was also belated. In my opinion, there is no substance in this contention also. It may be mentioned that the Conciliation Officer was moved again on 5th April, 1960 by the Union by Exhibit W. 3 after its demand made for the first time on 26th September, 1958 under Exhibit W. was rejected on 1st January, 1960 by letter Exhibit W. 16, M. 10. On 14th November, 1961 the Secretary of the Union submitted statement of demands in connection with the non-payment of project allowance of the monthly paid employees of Bhurkunda Exhibit W. 5. It cannot, therefore, be said that the Union made a belated demand. On the other hand, on the facts stated above, it is clear that the Union was agitating its demand for grant of Project Allowance since 1958, the first demand being made on 26th September, 1958 under Exhibit W. and the second demand on 5th April, 1960 Exhibit W. 3 after its demand was rejected on 1st January, 1960 Exhibit W. 16, M. 10. It was conceded by Sri Narsingh and as a matter of fact it was one of his points, which has been dealt with in paragraph 15 above, that the Union made a second demand on 5th April, 1960. I would, therefore, over-rule the contention of Sri Narsingh that the claim of the reference is belated.

18. It was then very seriously contended by Sri Narsingh that there was absolutely no justification for the grant of project allowance for the years in question. In this connection, he relied on the fact that the workmen had no regard for time, inasmuch as, in Exhibit W. 3, the letter written by Secretary of the Union to the Conciliation Officer, it was said that the development work at Bhurkunda had been undertaken from the year 1956, in accordance with the project programme, especially planned by National Coal Development Corporation for the other project areas, such as, Gidi, Kathara, Saunda, Sayal and Korba, although it is admitted by the workmen and as a matter of fact by both the parties that the development started in 1958. He also referred to Exhibit W. 5, statement of demands submitted on 14th November 1961 by the Secretary of the Union to the Conciliation Officer, in which also project allowance of 20 per cent of pay was claimed with retrospective effect from 1956. It was conceded by Sri Das, appearing for the workmen concerned, that the demand is from 1958 and not for the periods prior to 1958. He, however, contended that the fact that 1956 had been mentioned in Exhibits W. 5, W. 4 and W. 3 is no ground for rejecting the claim of the workmen concerned for grant of project allowance from 1st April 1958 to 31st March 1961. In my opinion, the fact that in the letters aforesaid the demand has been made from 1956 is no ground for rejecting the present claim of the workmen from 1958 when admittedly the development work started in 1958.

19. It was then contended that the project allowance was like an incentive bonus, because in Exhibit W the Secretary of the Union in his letter, dated 26th September 1958 sent to the Managing Director asked for grant of project allowance and while mentioning the justification for this grant of project allowance, stated the following facts:—

“Almost all the existing staff of this colliery are engaged in the new projects and development works at Bhurkunda Colliery. These staff have been working ungrudgingly day and night for the grand success of the new projects. If the above payments are not paid to them, naturally they will loose incentive for works.”

It was, therefore, argued that as the workmen themselves considered the payment of project allowance as an *incentive for work* it was obvious that project allowance was claimed as an incentive bonus and as such it was entirely in the discretion of the management and the Tribunal had no power to grant it. I am, however, unable to accept the contention that the project allowance should be considered to be an incentive bonus not because it is so but simply because the word ‘incentive’ has been used in the letter Exhibit W. What the Secretary of the Union in his letter Exhibit W meant to say was that if the project allowance will not be granted then the spirit to work will be killed and in that sense the word ‘incentive’ had been used. I, therefore, hold that project allowance is not an incentive bonus, nor was it claimed as an incentive bonus and, therefore, it is within the jurisdiction of the Tribunal to allow and grant project allowance if it considers on the facts to be justified.

20. It was then contended by Sri Narsingh that in 1961, as will appear from Exhibit W. 11, the Board granted project allowance *ex-gratia* and, therefore, this *ex-gratia* payment is discretionary, and so this payment of project allowance with effect from 1st April 1961 is no ground for payment of Project allowance in previous years as claimed by the workmen. It was further contended that no specific case of hardship had been made out by the workmen during the years in question which can justify grant of project allowance. It was also contended, in this connection, that amenities, such as, schools, transport service, recreations, post offices, telephone, railway service markets are not the responsibility of employers. I am unable to accept this contention of Sri Narsingh as correct, because the fact that the Board granted project allowance with effect from 1st April 1961 can be taken into consideration for finding out if there were justification for grant of this project allowance in prior years, April 1958 to March 1959.

21. Let us now find out if justification for grant of Project Allowance has been made out and if it would be justified in all the three years under claim. In this connection it was argued by Sri Narsingh that according to the documents filed by the workmen themselves it would appear that the development work started not early April 1958 but from 1960 and, therefore, on this ground also there is no justification for grant of project allowance during the years April 1958 to March 1959 and April 1959 to March 1960. This contention of Sri Narsingh has some force, and, therefore, it requires consideration. It will appear from Annexure II to the Failure of Conciliation Report of the Conciliation Officer, dated 18th May 1962 that in para 3, the various points raised by the union in

their statements of demands and discussed before him, are stated seriatim. He mentions in para 3(1) of Annexure II as below:

"So far as Bhurkunda Colliery is concerned the development work commenced some time in 1958 and was at its full swing during January to March 1961 only.

Later, it is mentioned:

"The Association further stated that the development work in Bhurkunda Colliery started in full swing in April 1958 itself and gradually increased thereafter."

In the said report it is also mentioned in para 3(iii) towards the end by the Conciliation Officer that the Association stated that it would be satisfied if the full project allowance of 20 per cent of pay is granted to workmen who joined Bhurkunda Colliery on or after 1st April 1958 when the development and extension actually commenced and half of the Project Allowance at 10 per cent be given to those who already in employment in the colliery prior to 1st April 1958. Exhibit M. 3 also supports the fact that while in June 1958 to September 1958 the total raising of coal was 81,132.6 cwts., whereas, in January 1961 to March 1961 it went up to 3,81,543.6 tonnes. This Exhibit M. 3 supports what the Conciliation Officer has mentioned in his report. Furthermore, Exhibit W. 1, which is a letter sent by the Secretary of the Union on 15th November 1958 to the Managing Director, states:

"This colliery is on the road to development for project works."

Exhibit W. 7 also supports what was mentioned before the Conciliation Officer that the development work in Bhurkunda Colliery commenced some time in 1958 but was at its full swing from January to March 1961. In Exhibit W. 7 raisings and despatches from the year 1954 to 1960 in Bhurkunda are mentioned and as mentioned before, it will appear from it that the raising from 1960 to 1961, according to the workman was 8,52,640 tonnes, whereas, in 1957-58 it was 1,68,892 tonnes and in 1958-59, 4,37,534 tonnes. For these reasons, it appears that *no justification has been made out for the grant of project allowance during the years April 1958 to March 1959.*

But I find from Exhibit W. 7 that in 1959-60 the total raisings was 6,25,147 tonnes and it went on increasing in 1960-61. In the Board's Resolution Exhibit W. 11 no reason was given whatsoever as stated earlier as to why no project allowance was granted during the years prior to April 1961. It should be remembered that the first demand made by the workmen on 26th September 1958 in Exhibit W was no doubt rejected on 1st January 1960. Exhibit W. 16—M. 10, but, immediately, thereafter, only three months later, on 5th April 1960 the workman made a second demand in Exhibit W. 3 as conceded by Sri Narsingh in para 15 above which resulted, as admitted by Sri Narsingh in the recommendation of Sri Chari Exhibit W. 6 and ultimately in the Board's decision Exhibit W. 11. Sri Chari, whose recommendation has been quoted earlier, was definitely of the opinion that there was good justification for payment of project allowance on several grounds and that a serious discontent was prevailing amongst the employees due to the allowance not being granted. I think this recommendation should have been accepted by the Board. It is true that Shri Chari's recommendation, like Sri Chandra's recommendation, was mere recommendation which was not binding on the Board, but it cannot be said that these recommendations by Project Officers who were reliable and competent officers and who are still holding positions of trust and responsibility in the service of the Corporation should have been lightly treated and turned down. Even if there was no justification why no reason is given in the Board's resolution for not allowing project allowance for the years prior to 1st April 1961. I cannot understand why the Board mentioned in its resolution Exhibit W. 11 that amenities of life in new Bhurkunda Colliery are no better than those prevailing in other new collieries as it had not been possible to provide basic amenities, i.e., housing, water supply, electric supply schemes etc. as envisaged in the two project reports. On these reasons of the Board project allowance should have been granted for the prior years.

For these reasons, I am of the opinion, *that justification for grant of project allowance has been made out for years April 1959 to March 1961, but not for April 1958 to March 1959.*

In the failure report of the Conciliation Officer, he has mentioned that development work commenced sometime in 1958 but it was at its full swing during January to March 1961. Exhibits W. 7, M. 2 and M. 3 show that the strength of staff figures, raising figures, despatch figures and over burden removal had

increased. For these reasons, I hold that the workmen are entitled to Project Allowance for the period from April 1960 to March 1961 also.

22. Taking all the above facts into consideration I have no hesitation in coming to the conclusion that there was shortage of accommodation and the existing facilities, as mentioned in the Board's Resolution, quoted in Exhibit W. 11, were not sufficient to meet the essentially required amenities, and, therefore, there was full justification for the demand of project allowance to be given to the monthly paid staff of the new Bhurkunda Colliery with which we are concerned, for the years, that is for the period from April 1959 to March 1961 only.

*Rate of Project Allowance:*

23. The next question is of rate at which project allowance should be granted. There is no dispute that at Bhurkunda there was an old colliery existing and certain amenities were in existence there from before 1958, by which time the jungle had been cleared and some amenities had been provided. But the amenities in existence before April 1958 as mentioned in Exhibit M may not be correct because in the absence of the registers and the person who assisted M.W. 1 in preparing the same I am not prepared to accept the statements in Exhibit M *in toto*. Admittedly and it is conceded also by Sri Das, on behalf of the workmen, that certain amenities existed prior to April 1958 and that these amenities existed only in Bhurkunda where the old colliery existed. New Bhurkunda was started at the old Bhurkunda in the above circumstances. The new projects in other collieries were entirely new and virgin and their jungles had to be cleared and the existing amenities at Bhurkunda could not possibly be made available in the new collieries, mentioned earlier, for the simple reason that those new project areas were started after clearing jungles and the like.

Naturally, therefore, the monthly paid staff of those other collieries will get a higher rate of Project Allowance and the monthly paid staff of New Bhurkunda would get Project Allowance at lower rate, for the simple reason that at Bhurkunda Colliery many amenities did exist but they were not sufficient for all the workmen concerned.

For these reasons, in my opinion, taking into consideration all the facts I would hold that Project Allowance at the rate of 15 per cent of their pay should be granted to employees working on or after April 1958 and at 10 per cent of their pay to old employees working from before April 1958, during the year April 1959 to March 1960 and at the rate of 12 per cent during April 1960 to March 1961 to new employees working on and from 1st April 1958 and at 7 per cent to old employees working from before April 1958.

*Award:*

24. I, therefore, answer the reference partly in favour of the workmen and partly in favour of the management and give my award as below:

- I. That the aforesaid monthly rated workmen at New Bhurkunda working prior or after April 1958 are not entitled to any Project Allowance for the period from 1st April 1958 to 31st March 1959.
- II. That the monthly rated workmen employed at New Bhurkunda Colliery of National Coal Development Corporation Limited, who were working on and from the 1st April, 1958, are entitled to payment of Project Allowance at 15 per cent of their pay for the period from 1st April 1959 to 31st March 1960, and at the rate of 12 per cent from 1st April 1960 to 31st March 1961.
- III. Such of these workmen who are working from before April 1958, are entitled to Project Allowance at 10 per cent from 1st April 1959 to 31st March 1960 and at 7 per cent of their pay from 1st April 1960 to 31st March 1961.

25. This award must be implemented within one month from the date the award becomes enforceable after its publication under Section 17 of the Act.

26. This is the award which I make and submit to the Government of India under Section 15 of the Act.

Sd./- RAJ KISHORE PRASAD,  
Presiding Officer,  
Central Government Industrial Tribunal,  
Dhanbad.

DHANBAD;

The 25th February, 1964.

[No. 1/13/62-LR.II.]

New Delhi, the 2nd May 1964

**S.O. 1578.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Indore, in the industrial dispute between the employers in relation to the Bhankri Mine of the Government of Rajasthan and their workmen which was received by the Central Government on the 21st April, 1964.

# IN THE INDUSTRIAL COURT, MADHYA PRADESH, INDORE

REFERENCE No. 2/I.T./1962 (CENTRAL)

BETWEEN

The President, Khan Mazdoor Union, Bhankari Dausa—*First-party*.

AND

Employers in relation to the Bhankri Mine of the Government of Rajasthan—*Second-party*.

In the matter of a reference under—Sections 7-A and Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, *re*: introduction of provident fund scheme and increase in the wages of cartmen.

PRESENT:

Shri M. A. Razzaque, President.

APPEARANCES:

Shri Raj Bahadur Hajela, President, Khan Mazdoor Union.

Shri Purohit, Advocate, *on behalf of the Second-party*.

## AWARD

This reference in respect of an industrial dispute has been made by the Central Government in the Ministry of Labour and Employment for adjudication to this Tribunal under Section 7-A and Clause (d) of Sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act). The said industrial dispute exists between the employers in relation to the Bhankri Mine of the Government of Rajasthan (Party No. 2) and their workmen as represented by the Khan Mazdoor Union, Bhankri Dausa (Rajasthan) (Party No. 1). The demands are:—

- (i) That the Contributory Provident Fund Scheme should be introduced for the workmen of the Bhankri Mine; and
- (ii) That the rates of wages of the Garriwalas (cartmen) should be increased.

2. The Bhankri Slab Stone Quarries known as Bhankri Mine are situated at Bhankri P.O. Dausa, District Jaipur (Rajasthan). These Stone Quarries are a public undertaking run by the Government of Rajasthan since the last several years. In 1961 the Union made various demands and most of these demands were settled in conciliation in April-May 1961. However, the demands relating to increase of wages of the Garriwalas and provident fund scheme or bonus remained unsettled. In 1962 the Union again pressed for the unsettled demands, but no conciliation was reached and therefore, the conciliation officer (Central) submitted the failure report in October, 1962. Hence the Central Government made this reference in respect of two demands i.e. introduction of contributory provident fund scheme and increase in the rates of wages of the Garriwalas (Cartmen) for adjudication to this Tribunal.

3. Shri Raj Bahadur Hajela (P.W.1), the President of the Union has stated that there are about 150 employees including the Cartmen in the Bhankri Mine. The evidence of Narayan, Cartman (P.W. 2) and Shri Mohanlal Lohadia (N.A.W. 1) shows that the total number of Cartmen is about 25. The evidence on record also shows that the Cartmen transport stone-slabs in their carts from Bhankri Mine to Bhankri Depot at the rate of 4 Annas per cubic foot and from Bhankri Mine to Dausa Depot at the rate of 6 Annas per cubic foot. The distance between Bhankri Mine and Bhankri Depot is about 2 Furlongs while that between Bhankri Mine and Dausa Depot is about 4 Miles. It is also on record that these rates of the Cartmen have remained static for the last more than 15 years.

4. The case of the Union is that the cartmen are being paid their wages at the rates mentioned above since the last 20 years though there has been considerable rise in dearness of the essential commodities during this period. It is also alleged that wages of other employees in the Bhankri Mine have been increased from time

to time but Party No. 2 has not increased the wages of the Cartmen which have remained stationary during the past 20 years. Accordingly, it is prayed that the Cartmen be paid their wages at double the rate at which they are being paid at present. It is also the case of the Union that the provisions of the Provident Fund Act are mandatory and they should be applied to the Bhankri Mine. The provident fund scheme, the Union alleges, is now a common thing in various industries and therefore, it should be applied to this industry also.

5. The case of the second-party is that the reference relating to the demand for increase in the rates of wages of the Cartmen was dropped by the Union in the conciliation proceedings on 11th October, 1962 and therefore, it is not maintainable. The second-party also alleged that the Cartmen are not their employees and they do not fall within the definition of 'Workman' under the Act. According to them the relationship with the Cartmen is that of a contractor who voluntarily accepts terms and rates offered by the Quarries for doing the work of transporting slabs from the Quarries. It is accordingly alleged that this Tribunal has no jurisdiction to adjudicate upon this matter.

6. As regards provident fund scheme, it is alleged that the provisions of the Provident Fund Act are not applicable to Bhankri Mine. It is further averred that it is beyond the financial capacity of the second-party to bear the additional burden of provident fund and therefore, the provident fund scheme should not be introduced in this industry. The claim of the Cartmen for increase in the wages is also denied on the ground that their cost of living in this particular region has not at all increased.

7. On these pleadings of the parties the following issues were framed for determination and my findings thereon are as under:—

<i>Issues</i>	<i>Findings</i>
1. Whether the reference on the issue of increase in the rates of wages of Garriwalas is not maintainable for the reason that the demand regarding the same was dropped by the First Party Union in the Conciliation Proceedings on 11th October, 1962, and if so, its effect.	Maintainable.
2. Whether the Garriwalas are not the employees of the Second-party as alleged and if so, its effect.	They are not. The reference is not maintainable so far as they are concerned.
3. Whether the provisions of the Provident Funds Act are not applicable to the Bhankri State Stone quarries as alleged and if so, its effect.	Provisions of the Employees' Provident Fund Act are not applicable.
4. Whether a Contributory Provident Fund scheme should be introduced for the workmen of the Bhankri Mine P.O. Dausa, District Jaipur, Rajasthan? If so, what should be the details of such a scheme?	Not at present. The Union can raise it after the accounts are finalised.
5. Whether the management of Bhankri Mine were justified in refusing to grant an increase in the rates of wages to the Garriwalas (Cartmen)? If not, to what relief they are entitled?	Does not arise in view of my finding on Issue No. 2.

#### *Reasons for Findings*

8. Issue No. 1.—The contention of Party No. 2 is that the demand for increase in the wages of the Cartmen was dropped in the conciliation proceedings by the Union and therefore, this demand is not maintainable before this Tribunal. It is pertinent to note that Party No. 2 has not led any evidence, oral or documentary, to establish this allegation and on this short ground alone the contention has to

be rejected. It is true that Appendix 'B' relating to conciliation proceedings, which has been filed by Party No. 1 recites:—

"7. Demand No. 7 Case of Gariwalas.—Shri C. M. Jain informed that the matter was under correspondence. The demand was dropped."

This simply means that when Shri C. M. Jain, who is the Mining Engineer of Bhankri Mine, brought the fact to the notice of the parties that the demand relating to the increase in the wages of the Cartmen was under correspondence, it was dropped only temporarily for the time being. It does not mean that the Union agreed to drop it permanently and not to raise it in future if the correspondence did not fructify. Shri Hajela, the President of the Union (P.W. 1), was not asked any question in cross-examination by Party No. 2 to ascertain if the Union had dropped the claim of the Cartmen for all times to come. For all these reasons, I hold that the claim is maintainable and decide this issue accordingly.

9. Issues 2 and 5.—The main question involved in the case is whether the Gariwalas (Cartmen) in this case fall within the definition of 'Workman' as defined under Section 2(s) of the Act. According to this definition relevant for the purpose of the case, "Workman means any person (including an apprentice) employed in any industry to do any skilled or unskilled manual..... work for hire or reward, whether the terms of employment be expressed or implied .....". The word 'employed' is of special significance. Thus, the ingredients of the definition of 'workman' are (i) the person should be employed for hire or reward; this pre-supposes the direct relationship of master and servant and excludes an 'independent contractor'; (ii) The work should be of manual nature and (iii) the person should be employed in an industry as defined in Section 2(k).

10. In the present case it is not disputed that the Gariwalas do the manual work and they do it in the industry as defined by Section 2(k) and they do this work for hire or reward, which is paid to them by Party No. 2. The question, however, is whether they are 'employed' by Party No. 2. In other words, whether there is direct relationship of master and servant between the Gariwalas and Party No. 2.

11. I have already said that the word 'employed' is of special significance. A man may do the work of the kind mentioned in the definition, but he may not be 'employed' as an employee or servant to do it; he may do the work because he may have taken a contract to do it or to supply certain manufactured goods at certain rates, or he may be 'employed' by such a person. The question, therefore, often arises whether he is a servant 'employed' to do the work or whether he is only a contractor or may be the latter's servant. In the former case he is a 'workman' and in the latter case he is not. The problem is often a ticklish one and not one easy to decide. This is so because of the complex combination of facts and circumstances which arise in actual commerce and industries. The distinction is also expressed by the words "contract for service" and "contract of service". In the former there is no relationship of master and servant; in the latter there is. Now in this contest we have to see whether the Cartmen in this case fall within the definition of 'workman' under the Act. On behalf of the Union, it is argued that they are 'workmen' under the Act as they fulfil the definition of 'workman' as given in the Standing Orders of the Bhankri Mine, which definition is substantially the same as stated above; while on behalf of Party No. 2 it is urged that no relationship of master and servant exists between the Party No. 2 and the Cartmen, that Party No. 2 has no control over them nor exercises any sort of supervision over their work, that they are the masters of their own time, that no muster-roll is maintained for them, that they are paid wages according to the quantity of work which they do etc. etc. and therefore, they are not the 'workmen' of Party No. 2 either under the Act or the Standing Orders. It was urged that they are only contractors. These contentions, therefore, bring us to the consideration of the evidence on record to determine whether they are 'workmen' or not.

12. The Union has examined two witnesses Shri Raj Bahadur Hajela (P.W. 1), the President of the Union and Narayan Cartman (P.W. 2). These witnesses would have us believe that the Cartmen go to the Quarry at 4 A.M. in the morning and work continuously till 6 P.M. in the evening and during this period they transport the stone-slabs from the Quarry to the two depots i.e. at Bhankri and Dausa. Shri Hajela (P.W. 1) has, however, admitted that there is no written order by Party No. 2 fixing the hours of work of these Cartmen from 4 A.M. to 6 P.M. He has also stated in examination-in-chief that the Mining Engineer of Party No. 2 supervises the work of the Cartmen but he does not particularise



what sort of supervision the Mining Engineer does. He admits even in examination-in-chief that he has no knowledge if there is any regular muster-roll for the Cartmen or not. He has admitted in cross-examination that Party No. 2 has not fixed any quantity of work which a Cartman has to do per day. In examination-in-chief he has stated that if the Management gives any order to a Cartman to do a particular work and if the Cartman does not do that work then he is punished for dis-obeying the orders, but he does not say whether any such instances occurred in this quarry. In cross-examination he has admitted that he has no knowledge if any Cartman was punished if the latter did not go for work to the Bhankri Mine. Thus, his evidence on the point of supervision or control by the Management on these Cartmen is of no value.

13. Narayan Cartman has clearly admitted in cross-examination that there is no regular muster-roll for these Cartmen and their attendance or absence is not marked. He also admitted that if the Cartmen do not come for work to the Bhankri Mine then they are not punished by the Management nor any deduction is made from their wages. According to him, the working hours of the employees in the Mine are from 8 A.M. to 6 P.M. His evidence shows that if any slab is broken during carriage from the Mine to the Depot then the difference in price is deducted from their wages. He has not said what sort of supervision or control is exercised by Party No. 2. His evidence simply shows that the Measurement Clerk takes the measurements of the slabs for which he gives a chit to the Cartman concerned and after that the Cartman carries the slabs to the Depots. He has admitted in cross-examination that various facilities such as leave etc., which the Management gives to other employees of the Bhankri Mine are not given to the Cartmen. He also says that the Cartmen receive their wages at the end of the month, the average of such wages come to about Rs. 90 per month. His evidence on the whole does not particularise if any supervision or control is exercised by the Management on the work of the Cartmen.

14. As against this evidence Shri Mohanlal Lohadia, Commercial Accounts Clerk (N.A.W. 1), Shri Chandmal Jain, Superintending Engineer (N.A.W. 2) and Shri Parmeshwarilal Manager, Bhankri Mine (N.A.W. 5) say that the Management does not control or supervise the work of the Cartmen. The evidence of these three witnesses establishes that the working hours in the Bhankri Mine are from 8 A.M. to 12 A.M. and 1 P.M. to 5 P.M. in Winter and 7 A.M. to 12 A.M. and 3 P.M. to 6 P.M. in Summer for all other employees except the Cartmen; that the Cartmen go to the quarry with their bullock-carts at 7 A.M. and leaving the carts there they take away their bullocks either for grazing or for doing agricultural work in the neighbourhood of the quarry. The Measurement Clerk goes to the quarry at about 4 P.M. when also the Cartmen return with their bullocks. The clerk takes measurements of the slabs collected at a particular place and then the Cartmen load them in their carts. A slip is issued to the Cartman concerned about the quantity of these stones loaded in the Cart and then the Cartmen carry it to the two Depots where the slip is handed over to the incharge of Depot, who checks the stones and takes delivery. The measurement register is maintained in which the name of the Cartman is entered and at the end of the month the account is made and wages are paid according to the quantity of work which the Cartman did.

15. The evidence of these three witnesses also establishes that no muster-roll for these cartmen is maintained and their absence or presence is not entered in any attendance register; there is no compulsion on any cartman to attend the quarry for work; if they attend then they have not to attend if for any fixed hours or any fixed period and no minimum quantity of work per day is fixed for these Cartmen. They may work fast or they may work slow and they are paid at fixed rates at the end of the month on the quantity of work done by them. Further the evidence establishes that there is no agreement or contract of service between the Cartmen and the Management. The evidence also shows that if these Cartmen drink wine or assault any other person within the premises of the Mine or commit any other misconduct, the Management has no right to take any disciplinary action against such Cartmen.

16. These witnesses are responsible officials and their evidence inspires confidence. They remained unshaken in cross-examination. Therefore, taking the over-all view of the evidence adduced by the Union and the Management we find the following facts established:—

- (1) The Management does not maintain any regular muster-roll for the Cartmen with the result that their attendance or absence is not noted.
- (2) They are not bound to attend the quarry everyday. They or any of them may remain absent without the permission of the Management

from work on any day they liked. For such absence they are neither fined nor otherwise penalised nor any other punishment is awarded to them.

- (3) If they attend the work for carriage of stone-slabs their hours of work are not fixed nor they have to work for any fixed period. They are free to go to the quarry any time they like and free to leave it any time they desire, of course after the slabs are measured.
- (4) There is no stipulation that the Cartmen had to turn out any minimum quantity of work in a day. They may work as fast as they like or as slow as they desire. They are paid at fixed rates on the total amount of work turned out at the end of the month.
- (5) There is no agreement or contract of service between them and the Management.
- (6) There is no element of actual supervision of the work the Cartmen do. If during transit any stone-slab is broken then the Cartman concerned has to pay the difference in price.
- (7) The Cartmen are at liberty to attend to their work according to their pleasure and not according to the orders of the Management. As already said, there is no obligation on the part of the Cartmen to work either for a fixed period or between the fixed hours. During the period of the day they are free to do agricultural operations or other side work.
- (8) The Management is not entitled to take any action against them for misconduct, if any, committed by them.
- (9) Various facilities such as leave etc., which are given by the Management to other employees according to the Standing Order of the Management are not given to the Cartmen.

17. These facts would, therefore, establish that there is no relationship of master and servant which is implied in the term 'employed' in the definition of 'Workman' given in the Act. In *Dharangdhra Chemical Works Ltd. Versus State of Saurashtra*, 1957-I LLJ.477 approved in *Chintaman Rao Versus State of M.P.*, 1958-II L.L.J. 252 (S.C.) their Lordships observed as under:—

"The essential condition of a person being a workman within the terms of this definition is that he should be *employed* to do the work in that industry, that there should be, in other words, an employment of his by the employer and that there should be the relationship between the employer and him as between employer and employee or master and servant. Unless a person is thus *employed*, there can be no question of his being a workman within the definition of the term as contained in the Act."

"The test which is uniformly applied in order to determine the relationship is the existence of a right of control in respect of the manner in which the work is to be done."

After considering the case-law on the subject, the principle was enunciated as under:—

"The principle which emerges from these authorities is that the *prima facie* test for the determination of the relationship between master and servant is the existence of the right in the master to supervise and control the work done by the servant not only in the matter of directing what work the servant is to do but also the manner in which he shall do his work, or to borrow the words of Lord Uthwatt at p.23 in *Mersey Docks and Harbour Board V. Coggins & Griffith (Liverpool), Ltd.*, and another (1947) 1 A.C.1, 23.

"The proper test is whether or not the hirer had authority to control the manner of execution of the act in question."

After noticing the subsequent trend of decisions wherein it is observed that the test of control is not one of universal application, the view was expressed thus:—

"The correct method of approach, therefore, would be to consider whether having regard to the nature of the work there was due control and supervision by the employer....."

18. When these tests are applied to the facts found in this case, it would be clear that the Cartmen do not fall within the definition of 'Workman' under the Act. In this connection, I may also refer to *Shankar Balaji Versus State of Maharashtra*, A.I.R. 1962 Supreme Court 517 in which Chintaman Rao's case in 1958-II L.L.J. 252 was approved. The question was whether one Pandurang, who rolled bidis in the Factory of Shankar Balaji was a worker and whether the relationship of master and servant existed between Shri Shankar Balaji and Pandurang. The facts found there were as under:—

- (1) There was no agreement or contract of service between Shri Shankar Balaji and Pandurang.
- (2) Pandurang was not bound to attend the factory for the work of rolling bidis for any fixed hours of work or for any fixed period. He was free to go to the fact by at any time he liked and was equally free to leave the factory whenever he liked. Of course, he could be in the factory during the hours of working of the factory.
- (3) Pandurang could be absent from work on any day he liked. He could be absent up to ten days without even informing. the appellant Shankar Balaji. If he was to be absent for more than ten days he had to inform the appellant Shankar Balaji, not for the purpose of taking his permission or leave, but for the purpose of assuring the appellant that he had no intention to give up work at the factory.
- (4) There was no actual supervision of the work Pandurang did in the factory.
- (5) Pandurang was paid at fixed rates on the quantity of bidis turned out. There was however no stipulation that he had to turn out any minimum quantity of bidis in a day.
- (6) Leaves used to be supplied to Pandurang for being taken home and out there. Tobacco to fill the bidis used to be supplied at the Factory. Pandurang was not bound to roll the bidis at the Factory. He could do so at his place, on taking permission from the appellant for taking tobacco home. The permission was necessary in view of Excise Rules and not on account of any condition of alleged service.
- (7) At the close of the day, the bidis used to be delivered to the appellant and bidis not up to the standard, used to be rejected.

On these facts their Lordships of the Supreme Court found that Pandurang was not a 'worker'. The present case is worse than Pandurang's case.

19. For all these reasons, I hold that the established facts in this case do not make out the relationship of master and servant between the Cartmen and the Management inasmuch as they indicate that the Management has no supervision or control over the manner of execution of work done by the Cartmen. In other words, they do not fall within the definition of 'Workman' as given in the Act, which is substantially the same as found in the Standing Orders. It, therefore, follows that they are not the employees of Party No. 2 in the eye of law and so I decide Issue No. 2 in the negative. In view of this finding the question covered by Issue No. 5 does not arise and so Issue No. 5 is decided accordingly.

20. *Issues 3 and 4.*—The provident fund benefit is now come to be recognised as one of the important retirement benefits for workmen. The Employees' Provident Fund Act, 1952 (Act XIX of 1952) is the main legislation which provides for compulsory provident fund scheme for certain industries with power to the Central Government by Notification to extend it to any other industry. Shri Hajela (P.W. 1), the President of the Union, argued before me that a contributory provident fund scheme as envisaged by this Act be introduced for the workmen of Bhankri Mine. I have already said that there are about 150 workmen in the Bhankri Mine, including the Cartmen who are about 25 in number. So, excluding the Cartmen who, I have held above, are not workmen, there remain about 125 employees and the question is whether the contributory provident fund scheme should be introduced for such 125 workmen.

21. It is pertinent to note that the Employees' Provident Fund Act, 1952, as amended from time to time, applies only to the scheduled industries and Shri Hajela (P.W. 1) as also the Counsel for the Party No. 2 admitted that the Bhankri Stone Quarry is not listed as a scheduled industry under the above Act. No material has been produced before this Tribunal to show that the Central Government by any Notification extended the provisions of this Act to Stone Quarries. Such being the position, the Union cannot claim that the contributory provident fund scheme should be compulsorily introduced in the said Mine under the said Act.

22. Though the Employees' Provident Fund Act, 1952 applies only to the scheduled industries and with certain limitations, it has been recognised that the demand for the introduction of a provident fund scheme can be an industrial dispute. In *Airlines Hotel (Private) Ltd., Bombay Versus Its workmen*, A.I.R. 1962, Supreme Court 676, their Lordships observed:—

"Except the industries in which it is compulsorily introduced under the Provident Funds Act, a consideration of a demand for Provident Fund in any other concern, would only arise, if such concern have the capacity to bear the burden."

Their Lordships have also observed:—

"Some regard has to be paid also to the practice prevailing in other units of the same industry in that region. Future prospects have also to be taken into consideration."

So, apart from other questions, the main question which arises in this case is whether the concern in question has the capacity to bear the burden.

23. On the point of 'paying capacity', the Union has not adduced any evidence except the solitary statement of Shri Hajela (P.W.1) to the effect that the Bhankri Mine has been reaping profits for the last ten years. The basis for this statement is not known. Shri B. L. Taak (N.A.W. 3), who is the Accounts Officer, has stated that accounts for the years 1958-59 to 1962-63 have not been finalised so far by the Finance Department of the Government of Rajasthan. His evidence, however, shows that from the *provisional* statements of accounts for these years, it would appear that provisional profits vary from Rs. 30,000/- per year to about Rs. 55,000/-, but he says that these are only provisional accounts and unless final approval of the Finance Department of the Government of Rajasthan for these accounts is received the position of profit and loss remains unsettled. Therefore, the interim profit and loss statements prepared by the concern cannot be taken to be a sure basis to determine whether the concern incurred loss or earned profit. Such being the unsettled position, it cannot be said that the concern in question has the capacity to bear the burden if a provident fund scheme is introduced in it. It is true that the scheme should not always be detained if the authorities at the helm of the concern do not finalise the accounts for years together, but it is also true that in the instant case, it cannot be said that the Finance Department of the Government of Rajasthan has not finalised the accounts with any ulterior motive. It appears that there are certain real and genuine difficulties on account of which the accounts have not been finalised so far. Such being the unsettled position of the financial condition of the concern in question, I am of the opinion that it is not just and reasonable to frame a provident fund scheme for the concern in question at present. Therefore, I decline to frame such a scheme at present, but it would be open to the Union to re-agitate the demand as and when the accounts have been finalised. Subject to this observation, I decide Issue No. 4 in the negative. As regards Issue No. 3, I hold that the provisions of the Employees' Provident Fund Act, 1952, do not apply to the Stone-Quarries in question and decide this issue accordingly.

24. The result, therefore, is that both the demands of the Union are liable to be rejected, which I do.

25. But while parting with the case I must observe that the case of the Cartmen to increase their wages requires sympathetic consideration at the hands of the Government. It is to be noted that the rates of their wages were fixed about 15 or 20 years ago and since then they have remained static. The average earning of a Cartman is about Rs. 90/- per month and this return he gets for the use of his bullocks, cart and his own labour. Undoubtedly, this is miserably low because the evidence on record itself shows that on a pair of bullocks a Cartman has to spend about Rs. 60/- to Rs. 75/- per month. The evidence on record also shows that during this period the cost of living has been doubled if not trebled. In *Hindusthan Times Ltd. Versus Their Workmen*, 1963-1 L.L.J. 108; *Indian Oxygen Limited Versus Their Workmen and Others*, Civil Appeal No. 528 of 1962 decided by their Lordships of the Supreme Court on 6th December 1962; *French Motor Car Co. Ltd. Versus Their Workmen*, XXIV F.J.R. 270 and *India General Navigation and Railway Co. Ltd., Calcutta Versus Their Workmen*, A.I.R. 1960 Supreme Court 1286, their Lordships of the Supreme Court have observed that cost of living rose steeply during the last 12 or 15 years and therefore, the case of revision of wage-structure becomes irresistible. In the present case, however, law is on the side of the Management and it is on that account that these Cartmen do not fall within the definition of 'Workman' under the Act or Standing Orders. But other considerations are heavily in favour of the Cartmen. For all these reasons, I would recommend to the Central Government to consider the feasibility of reasonably increasing the rates of wages of the Cartmen. This gesture would also avoid the charge of exploiting sweated labour.

26. In the result, the two demands are rejected. In the circumstances of the case, parties shall bear their own costs as incurred.

27. The award is passed accordingly.

By order,

Sd/- H. S. SAXENA,

10th April, 1964.

Registrar.

Sd/- M. A. RAZZAQUE,

Industrial Tribunal,

Madhya Pradesh.

10th April, 1964

Indore, dated the 10th April, 1964.

[No. 23/35/62-LR.II.]

**S.O. 1579.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Toposi Colliery, Post Office Toposi, District Burdwan, and their workmen, which was received by the Central Government on the 25th April, 1964.

#### BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

In the matter of a Reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 (XIV of 47).

REFERENCE NO. 40 OF 1963.

#### PARTIES:

Employers in relation to the Toposi Colliery, P.O. Toposi, Dt. Burdwan.

AND

Their workmen.

#### PRESENT:

Sri Raj Kishore Prasad, M.A., B.L.—*Presiding Officer.*

#### APPEARANCES:

*For the Employers.*—Sri S. S. Mukherjee, Advocate, with Sri P. R. Ghosh, Manager.

*For the Workmen.*—Sri P. Pathak, Vice President, Colliery Mazdoor Sabha.

STATE: West Bengal.

INDUSTRY: Coal.

*Camp: Calcutta, dated the 20th April, 1964*

#### AWARD

Ministry of Labour and Employment, Government of India, by its Order No. 6/8/63/LR. II, dated the 18th May, 1963, referred under Section 10(1)(d) of the Industrial Disputes Act, 1947, to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the Toposi Colliery and their workmen in respect of the matters specified below:

“Whether the action of the management of Toposi Colliery in refusing the work of loaders to the workmen mentioned in the annexure, from or about the 21st February, 1963, and simultaneously transferring them to work as pickminers is justified? If not, to what relief are the said workmen entitled?”

1. Shri Rajbali Malha.
2. Shri Suneswar Harijan.
3. Shri Bala Harijan.
4. Shri Muneswar Sau.
5. Shri Sadhu Harijan.
6. Shri Sontaraj Sau.
7. Shri Motor Bin (Malah).
8. Shri Seonandan Singh.
9. Shri Rambrij Kahar.
10. Shri Mithai Harijan.
11. Shri Bhikari Rabidas.
12. Shri Jhutha Kurmi.

13. Shri Rambrij Harijan.
14. Shri Budhram Harijan.
15. Shri Sarbjit Rajbhar.
16. Shri Dalsinger Jado.
17. Shri Nazir Mia.
18. Shri Golam Rajbhar.
19. Shri Tikori Harijan.

On 20th April, 1964, Sri S. S. Mukherjee, Advocate, representing the management, Sri P. Pathak, representing the workmen, filed a joint petition of compromise incorporating the agreed minutes therein and prayed that an award in terms thereof be passed.

3. I have read the terms of agreement and I am satisfied that they are quite fair and reasonable and in the interest of both parties and I, therefore, accept the same.

4. The reference is therefore answered by passing an award in terms of the petition of compromise marked Annexure 'A' which is made a part of it.

5. This is the award which I make and submit to the Government of India, under Section 15 of the Act.

Calcutta, the 20th April, 1964.

Sd./- RAJ KISHORE PRASAD,  
Presiding Officer,  
Central Govt. Industrial Tribunal,  
Dhanbad.

#### ANNEXURE 'A'

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL, DHANBAD AT CALCUTTA

REFERENCE No. 40 OF 1963.

Employers in relation to Toposi Colliery

AND

Their Workmen.

The parties above named respectfully state that without prejudice to the respective contentions of the parties the above reference has been settled on the following terms:—

1. That the 19 workmen mentioned in the term of reference will accept the job of pickminers at the places allotted to them by the Manager or other supervisory staff.
2. That the workmen will report for the above duties of pickminers within 15 days from the date of this compromise.
3. That for a period of 4 (four) weeks from the date of this compromise if any of the workmen earn less than the category V wages, the Management will compensate them upto the Category V wages.
4. That the compensation as mentioned in paragraph 3 above will be payable only to such of the workmen mentioned in the term of reference as will give a minimum workload of average half of Tub loaded with coal per his shift.
5. That the Management will not be responsible for the Compensatory payment as stated in paragraphs 3 and 4 above after a period of 4 weeks mentioned therein and in the case of the workmen continuing to earn less wages after the above period of 4 weeks, the workman or anybody on their behalf will not be entitled to raise any demand or dispute in this regard before any authority.
6. That the Management will not take any disciplinary action for the refusal of the workmen concerned to perform the duties of pickminers offered to them on the 21st February, 1963.
7. That the period from 21st February, 1963, till the day the workmen join as pickminers will be treated as if they were on leave without wages for their continuity of service only. That when any vacancy will arise for loaders if there are no other senior loaders than the 19 loaders mentioned in the terms of the reference will be

absorbed as loaders according to their seniority. The term of this agreement will be binding on the respective parties.

8. That the parties will bear their own respective cost of this proceeding.

It is, therefore, humbly prayed that this compromise may kindly be recorded and an award passed in terms thereof.

*For Employees,*

Sd./- P. PATHAK,  
Vice President,

Colliery Mazdoor Sabha.  
20-4-1964.

*For the employer,*

Sd./- S. S. MUKHERJEE,  
Advocate.

Sd./- P. R. GHOSH,  
Manager.  
Before me.

Sd./- RAJ KISHORE PRASAD,  
Presiding Officer,  
Central Govt. Industrial Tribunal,  
DHANBAD.  
20-4-1964.

[No. 6/8/63-LRII.]

**S.O. 1580.**—In exercise of the powers conferred by section 3 of the Essential Services (Maintenance) Ordinance 1941 (11 of 1941), the Central Government, being of opinion that the employment in the Calcutta Pilot Service under the Commissioners for the Port of Calcutta is essential for maintaining supplies or services necessary to the life of the community, hereby declares the said employment to be employment to which the said Ordinance applies.

[No. 63/1/64-LRI.]

## ORDERS

*New Delhi, the 2nd May 1964*

**S.O. 1581.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Nowrozabad Colliery of Messrs. Associated Cement Companies Limited, Post Office Nowrozabad, District Shahdol (Madhya Pradesh), and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

## SCHEDULE

Whether the management of Nowrozabad Colliery of Messrs. Associated Cement Companies Limited was justified in reverting Shri Shalkh Latif to work as a miner with effect from the 25th October, 1963? If not, to what relief is he entitled?

[No. 5/4/64-LR. II.]

**S.O. 1582.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Nowrozabad Colliery, (Post Office Nowrozabad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

## SCHEDULE

1. Whether the trammers employed in the Colliery are entitled to any relief on account of work of coupling, signalling and setting of points etc., done by them in the course of their duties?
2. If so, to what extent, and from what date?

[No. 1-10/64-LR. II.]

**S.O. 1583.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Khas Dharmaband Colliery of Messrs Khas Dharmaband Colliery Company Private Limited, Post Office Malkera, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A, of the said Act.

## SCHEDULE

Whether the action of the management of Khas Dharmaband Colliery Company (Private) Limited, Post Office Malkera in stopping payment of sardari commission of Shri Panchu Rabidas, Trammer in the said Colliery, was justified? If not to what relief is the workman entitled?

[No. 2/22/64-LR. II.]

**S.O. 1584.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Singareni Collieries Company Limited, Kothagudium and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Dr. Mir Siadat Ali Khan as the Presiding Officer with headquarters at Somajiguda, Hyderabad, and refers the said dispute for adjudication to the said Industrial Tribunal.

## SCHEDULE

Having regard to the nature of duties actually performed by Shri K. Suryanarayana, of General Accounts Section, Head Office, whether the management is justified in not allowing to him the grade of pay as allowed to Cash Book Clerks. If not, to what relief is the workman entitled and from what date?

[No. 7/19/63-LR. II.]

A. L. HANDA, Under Secy

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*New Delhi, the 2nd May 1964*

**S.O. 1585.**—In exercise of the powers conferred by sub-section (1) of section 19 of the Minimum Wages Act, 1948 (11 of 1948) and in supersession of the notification of the Government of India in the Ministry of Labour and Employment No. S. O. 3476, dated the 8th November, 1962, the Central Government hereby appoints the officers specified in column (1) of the Schedule hereto.



(1) of the Schedule hereto annexed, to be Inspectors for the purposes of the said Act within the local limits specified in the corresponding entries in column (2) thereof :—

# SCHEDULE

<i>Designation of Officers</i>	<i>Territorial jurisdiction</i>
(1)	(2)
<ol style="list-style-type: none"> <li>1. Chief Labour Commissioner (Central), <i>New Delhi.</i></li> <li>2. Deputy Chief Labour Commissioner (Central), <i>New Delhi.</i></li> <li>3. Deputy Chief Labour Commissioner (Central) (Training), <i>New Delhi.</i></li> <li>4. Regional Labour Commissioner (Central) (Training), <i>New Delhi.</i></li> <li>5. Regional Labour Commissioner (Central) (Verification), <i>New Delhi.</i></li> <li>6. Welfare Adviser to the Chief Labour Commissioner (Central), <i>New Delhi.</i></li> <li>7. Conciliation Officer (Training), <i>New Delhi.</i></li> <li>8. Regional Labour Commissioner (Central), <i>Bombay.</i></li> <li>9. Conciliation Officer (Central), <i>Bombay-I.</i></li> <li>10. Conciliation Officer (Central), <i>Bombay-II.</i></li> <li>11. Conciliation Officer (Verification), <i>Bombay.</i></li> <li>12. Conciliation Officer (Central), <i>Nagpur.</i></li> <li>13. Labour Inspectors (Central) in Bombay Region with headquarters at :— <ol style="list-style-type: none"> <li>(i) Bombay-I</li> <li>(ii) Bombay-II</li> <li>(iii) Bombay-III</li> <li>(iv) Poona</li> <li>(v) Ahmedabad</li> <li>(vi) Bhusawal</li> <li>(vii) Rajkot</li> <li>(viii) Nagpur-I</li> <li>(ix) Nagpur-II</li> <li>(x) Bombay (Prosecution)</li> <li>(xi) Bombay (Verification)</li> <li>(xii) Ahmedabad (Verification)</li> <li>(xiii) Baroda</li> </ol> </li> <li>14. Junior Labour Inspector (Central), <i>Chanda.</i></li> <li>15. Regional Labour Commissioner (Central), <i>Calcutta.</i></li> <li>16. Conciliation Officer (Central), <i>Calcutta-I.</i></li> <li>17. Conciliation Officer (Central), <i>Calcutta-II.</i></li> <li>18. Conciliation Officer (Central), (Headquarters), <i>Calcutta.</i></li> <li>19. Conciliation Officer (Central) (Verification), <i>Calcutta.</i></li> <li>20. Conciliation Officer (Central), <i>Shillong.</i></li> <li>21. Conciliation Officer (Central), <i>Asansol.</i></li> <li>22. Conciliation Officer (Central), <i>Raniganj.</i></li> <li>23. Conciliation Officer (Central), <i>Jharsuguda.</i></li> <li>24. Labour Inspectors (Central) in Calcutta Region with headquarters at :— <ol style="list-style-type: none"> <li>(i) Calcutta-I</li> <li>(ii) Calcutta-II</li> <li>(iii) Calcutta (Headquarters)</li> <li>(iv) Gauhati</li> <li>(v) Dibrugarh</li> <li>(vi) Kharagpur</li> </ol> </li> </ol>	<p>Whole of India except the State of Jammu and Kashmir.</p> <p>The States of Gujarat and Maharashtra.</p> <p>The States of West Bengal, Assam, Orissa and Nagaland and the Union Territories of Manipur and Tripura.</p>

Designation of officers	Territorial jurisdiction
(vii) Calcutta (Prosecution)	The States of West Bengal, Assam, Orissa and Nagaland and the Union Territories of Manipur and Tripura.
(viii) Calcutta (Verification)	
(ix) Dibrugarh (Verification)	
(x) Neamatpur	
(xi) Assansol	
(xii) Raniganj	
(xiii) Ukhra	
(xiv) Tinsukia	
(xv) Cuttack	
(xvi) Cuttack (Verification)	
(xvii) Jharsuguda	
(xviii) Barbil	
25. Junior Labour Inspector (Central) with headquarters at :—	
(i) Asansol	
(ii) Sitarampur	
(iii) Raniganj.	
26. Regional Labour Commissioner (Central), Madras.	The States of Madras and Kerala and the Union Territory of Pondicherry (excluding Yanam area).
27. Conciliation Officer (Central) Madras	
28. Conciliation Officer (Central), Cochin.	
29. Conciliation Officer (Central) (Verification), Madras.	
30. Labour Inspectors (Central) in Madras Region with headquarters at :—	
(i) Tiruchirapalli	
(ii) Coimbatore	
(iii) Madurai	
(iv) Trivandrum	
(v) Madras	
(vi) Madras (Verification)	
(vii) Cochin (Verification)	
(viii) Madras (Headquarters).	
31. Regional Labour Commissioner (Central) Jabalpur.	
32. Conciliation Officer (Central), Jabalpur.	
33. Conciliation Officer (Central), Ajmer.	
34. Labour Inspectors (Central), in Jabalpur Region with headquarters at :—	
(i) Jabalpur	
(ii) Parasia	
(iii) Ajmer	
(iv) Jodhpur	
(v) Bhilwara	
(vi) Jaipur	
(vii) Ratlam	
(viii) Jabalpur (Headquarters)	
(ix) Raipur	
(x) Balaghat	
(xi) Chirimiri	
(xii) Jabalpur (Prosecution)	
(xiii) Jabalpur (Verification)	
(xiv) Bikaner	
35. Junior Labour Inspector (Central), Katni.	The States of Madhya Pradesh and Rajasthan.
Regional Labour Commissioner (Central), Kanpur.	
37. Conciliation Officer (Central) Kanpur.	
38. Conciliation Officer (Central), Delhi-I.	
39. Conciliation Officer (Central), Delhi-II.	
40. Conciliation Officer (Central), (Verification), Kanpur.	
41. Labour Inspectors (Central) in Kanpur Region with Headquarters at :—	
(i) Delhi-I	
(ii) Delhi-II	
(iii) Gorakhpur	
(iv) Allahabad	
(v) Lucknow	
	The States of Uttar Pradesh, Punjab and the Union territories of Himachal Pradesh and Delhi.

Designation of officers	Territorial jurisdiction
(vi) Bareilly	The State of Uttar Pradesh, Punjab and the Union Territories of Himachal Pradesh and Delhi.
(vii) Jullundur	
(viii) Ambala	
(ix) Kanpur (Prosecution)	
(x) Delhi (Verification)	
(xi) Kanpur (Verification)	
42. Junior Labour Inspector (Central), <i>Agra</i> .	
43. Regional Labour Commissioner (Central) <i>Dhanbad</i> .	
44. Conciliation Officer (Central), <i>Dhanbad-I</i> .	
45. Conciliation Officer (Central), <i>Dhanbad-II</i> .	
46. Conciliation Officer (Central), <i>Hazaribagh</i> .	The State of Bihar.
47. Conciliation Officer (Central), (Verification), <i>Dhanbad</i> .	
48. Conciliation Officer (Central) (Headquarters), <i>Dhanbad</i> .	
49. Labour Inspectors (Central) in Dhanbad Region with headquarters at :—	
(i) Ranchi	
(ii) Patna	
(iii) Dhanbad	
(iv) Katrasgarh	
(v) Koderma	
(vi) Muzzaffarpur	
(vii) Girdih	
(viii) Pakur	
(ix) Jharia East	
(x) Jharia West	
(xi) Bhagmara	
(xii) Chirkunda	
(xiii) Ramgarh	
(xiv) Kirkend	
(xv) Patherdih	
(xvi) Chaibasa	
(xvii) Dhanbad (Headquarters)	
(xviii) Dhanbad (Verification)	
(xix) Patna (Verification)	
(xx) Dhanbad (Prosecution)	
(xxi) Dhanbad (Implementation)	
(xxii) Demohanch	
50. Junior Labour Inspector (Central) with headquarters at :—	
(i) Katrasgarh	
(ii) Kharkharee	
(iii) Bermo	
(iv) Bhagmara	
(v) Nirsa	
(vi) Dehri-on-sone	
51. Regional Labour Commissioner (Central) <i>Hyderabad</i> .	The States of Andhra Pradesh and Mysore and Yanam Arca in the Union Territory of Pondicherry.
52. Conciliation Officer (Central), <i>Hyderabad</i> .	
53. Conciliation Officer (Central), <i>Visakhapatnam</i> .	
54. Conciliation Officer (Central) ( <i>Kolar Gold Fields</i> ).	
55. Labour Inspectors (Central) in the Hyderabad Region with headquarters at :—	
(i) Visakhapatnam.	
(ii) Vijayawada	
(iii) Gudur	
(iv) Guntakal	
(v) Hyderabad	
(vi) Hyderabad (Verification)	
(vii) Kothagudem	
(viii) Visakhapatnam (Prosecution)	
(ix) Kolar Gold Fields	
(x) Bangalore	
(xi) Hubli	

# **MINISTRY OF PETROLEUM & CHEMICALS**

*New Delhi, the 25th April 1964*

**S.O. 1586.**—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 361 dated the 21st January, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

## **SCHEDULE**

State— Gujarat	District— Broach	Taluka— Ankleshwar
Village	Survey No.	Acre  Guntha Sq. Yds.
Digas	212	0 2
"	214/3	0 3
"	215	0 6
"	221/1	0 3
"	222	0 2½
"	250	0 1
"	253/1	0 4
"	253/2	0 1
"	255	0 5
"	256/1	0 7
"	256/2	
"	257/1	
"	257/2	0 10
"	257/4	
"	263/1	0 7
"	271	0 10½
"	272	0 12½
"	273	0 1½
"	274	0 3
"	275	0 1
"	276	0 4
"	277/1	
"	277/2	0 2
"	278/1	
"	278/2	0 4
Sarthan	46/2	0 2½
"	56	0 3
"	57	0 5
"	58	0 4½
"	59	0 2½
"	62/1	0 1½
"	63/1	0 0
"	63/3	0 1½

**S.O. 1587.**—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 560 dated the 6th February, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

# SCHEDULE

State—Bihar

District—Monghyr

Thana—Chakal

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Bhandra No. 34	446B	0.075	Kaleyanpur No. 35— <i>contd.</i>	208	0.03
	449A	0.405		182	0.03
	449C	0.115		1086	0.015
	454	0.02		1109B	0.01
	514B	0.055		1112	0.005
	548A	0.105		1136	0.01
	560A	0.04		1188	0.01
	547E	0.035		1310B	0.01
	547F	0.05		1254	0.01
	547G	0.08		1258	0.015
	451A	0.17		1269B	0.01
	451B	0.015		1267	0.02
	547H	0.02		230	0.095
	560B	0.025		158	0.005
	560C	0.025		175	0.01
				1257	0.005
Kaleyanpur No. 35	12	0.10		57B	0.07
	49	0.075			
	57A	0.035	Piarpher No. 36	1282	0.03
	58	0.035		1280	0.035
	61	0.04		1273	0.04
	229B	0.035		1274B	0.03
	228	0.26		1238	0.02
	142	0.05		1239	0.01
	155	0.015		1243A	0.82
	162	0.05		1258H	0.10
	172	0.01		1244	0.005
	170	0.045	Baro No. 37	1170B	0.04

[No. 31/47/63-ONG-ii.]

**S.O. 1588.**—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 359 dated the 20th January, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

#### SCHEDULE

State—Bihar

District—Monghyr

Thana—Lakhisarai

Village with thana No.	Survey No. (Plot No.)	Extent in acre
Balgudar No. 134 .	346	0.17
Chouk No. 141 .	104	0.005

[No. 31/47/63-ONG.]

S.O. 1589.—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2138, dated the 22nd July, 1963 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

#### SCHEDULE

State—Bihar.

District—Monghyr

Thana—Lakhisarai

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Makhdumpur No. 139	151	0.09	Makhdumpur No. 139—	157	0.15
	150	0.23	<i>contd.</i>	158	0.22
	153	0.03		159	0.26
	154	0.02		160	0.10
	156	0.05		161	0.08

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
	162	0 09	Balgudar No. 134— <i>contd</i>	404	0 04
	167	0 28		405	0 08
	168	0 16	Chauki No. 141	103	0 015
	164	0 41		92	0 07
	174	0 05		86	0 068
	175	0 06		85	0 02
	176	0 07		111	0 34
	177	0 01		112	0 14
	178	0 06		113	0 13
	179	0 36		114	0 08
	184	0 04		115	0 11
	183	0 13		116	0 002
	185	0 05		190	0 15
	186	0 007		206	0 182
Amahara No. 140	49	0 145		207	0 24
	48	0 14		208	0 02
	44	0 17		205	0 05
	43	0 16		209	0 42
	75	0 275		221	0 21
	72	0 155		214	0 23
	73	0 02		220	0 10
	70	0 245		215	0 10
	71	0 005		969	0 15
	92	0 085		968	0 115
	93	0 185		967	0 12
	94	0 085		972	0 13
	96	0 02		983	0 08
	95	0 37		991	0 05
	98	0 01		992	0 04
	660	0 02		993	0 04
	662	0 095		981	0 05
	661	0 01		995	0 355
	664	0 28		1001	0 305
	665	0 10		998	0 04
	666	0 11		999	0 20
	668	0 02		1010	0 015
	669	0 01		1011	0 24
	45	0 02		1012	0 263
	121	0 05		1013	0 35
	77	0 085		1030	0 003
Balgudar No. 134	333	0 465		1031	0 11
	335	0 035		1032	0 015
	334	0 20		1034	0 21
	337	0 09		1035	0 227
	338	0 095		1038	0 01
	339	0 007		1040	0 34
	340	0 02		1039	0 08
	341	0 215		1027	0 27
	343	0 15		1026	0 31
	345	0 16		1065	0 03
	347	0 185		1066	0 445
	348	0 18		1068	0 515
	351	0 305		1069	0 20
	352	0 18		84	0 007
	353	0 05		105	0 002
	362	0 565		216	0 015
	356	0 06		1025	0 01
	358	0 09		106	0 28
	361	0 09		108	0 25
	364	0 455		109	0 29
	367	0 04		973	0 41
	368	0 017		107	0 185
	369	0 05		230	0 29
	403	0 18		110	0 10
			Gangta No. 142	1006	0 10
				730	0 16

**S.O. 1590.**—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2130 dated the 5th August, 1963, under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

#### SCHEDULE

State—BIHAR

Distt.—SANTHAL PARGANAS

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Nawadih Durgapur No. 12.	23	0.065	Nawadih Durgapur No. 12	328	0.01
Sardari Circle Pindari .	24	0.305		344	0.05
	28	0.065	Sardari Circle Pindari .	339	0.065
	29	0.065		340	0.03
	30	0.07		338	0.02
	31	0.07		337	0.03
	32	0.11		336	0.025
	38	0.075		335	0.08
	57	0.05		334	0.03
	56	0.05		354	0.09
	55	0.10		355	0.02
	54	0.11		369	0.025
	93A	0.24		398	0.26
	93B	0.15		397	0.135
	88A	0.07		394	0.005
	88B	0.05		395	0.04
	92	0.02		396	0.03
	111	0.04		418	0.11
	113	0.20		345B	0.105
	115	0.125		332	0.01
	116	0.14	Karmatanr No. 11 .	8	0.10
	172	0.37		6	0.07
	173	0.26	Sardari Circle Pindari .	9	0.16
	196	0.01		16	0.03
	195	0.07		17	0.22
	194	0.10		390A	0.50
	193	0.01		390B	0.04
	192	0.02		383	0.07
	191	0.045		382	0.21
	305	0.06		375	0.12
	348A	0.08		372	0.09
	348B	0.15		371	0.08
	348C	0.36		363	0.40
	304	0.015		362	0.02
	346	0.025		359	0.07
	345A	0.09		350	0.03
	327	0.065		351	0.12



Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Karmatanr No. 11	352	0.003	Karmatanr No. 11	1761	0.07
	353	0.03		1762	0.01
Sardari Circle Pindari	354	0.10	Sardari Circle Pindari	1760	0.045
—contd.	345	0.04		1759	0.005
	344	0.01		1711	0.24
	343	0.08		1755	0.20
	346	0.04		1741A	0.12
	341	0.08		1742	0.08
	342	0.015		1741B	0.16
	340	0.06		1736	0.09
	339	0.10		1735	0.12
	283	0.02		1733	0.05
	338	0.005		1734	0.15
	284	0.06		349	0.005
	285	0.02		620	0.002
	286	0.005		611	0.03
	287	0.02		384	0.005
	288	0.13	Sitakatta No. 25	390	0.21
	289	0.025	Sardari Circle Pindari		
	301	0.02			
	302	0.08			
	300	0.03	Kasitanr No. 26	1	0.16
	316	0.18		4	0.145
	313	0.11	Sardari Circle Pindari	47	0.12
	565A	0.065		37	0.055
	574	0.09		38	0.055
	576	0.14		36	0.04
	565B	0.07		35	0.11
	578	0.08		34A	0.14
	579	0.02		33	0.07
	580	0.15		97	0.28
	484	0.005		98	0.27
	585	0.10		109	0.02
	619	0.01		150	0.96
	612	0.09		207	0.14
	586	0.02		206	0.01
	587	0.06		228	0.08
	588	0.12		208	0.025
	1037	0.14		227	0.03
	1598	0.21		226	0.04
	1599	0.05		225	0.03
	1600	0.10		224	0.01
	1610	0.02		212	0.02
	1601	0.17		223	0.02
	1605	0.06		221	0.06
	1606	0.015		220	0.02
	1607	0.115		219	0.07
	1608	0.03		270	0.135
	1664	0.10		268	0.035
	1642	0.02		278	0.025
	1643	0.10		271	0.015
	1644	0.07		272	0.05
	1662	0.105		277	0.01
	1656	0.08		276	0.15
	1657	0.005		283	0.105
	1655	0.05		285	0.02
	1654	0.025		284	0.09
	1653	0.045		530	0.02
	1769	0.04		531	0.02
	1658	0.26		533	0.07
	1768	0.025		535	0.005
	1767	0.02		537	0.10
	1766	0.025		532	0.01
	1765	0.04		538	0.025
	1710	0.10		526	0.07

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Kasitanr No. 26	539	0.16	Jasaidih No. 27	1542	0.10
Sardari Circle Pindari	543	0.01	Sardari Circle Pindari	1584A	0.10
	524	0.10	—contd.	1584B	0.07
	506	0.12		1585	0.04
	505	0.02		1586	0.07
	495	0.02		1603	0.125
	494	0.015		1602	0.115
	507	0.08		1598	0.10
	493	0.005		1596	0.025
	485	0.16		1597	0.04
	488	0.035		1637	0.105
	487	0.035		1638	0.05
	486	0.085		1639	0.06
	483	0.04		1644	0.02
	484	0.06		1640	0.03
	467	0.005		1641	0.06
	395	0.05		1642	0.03
	394	0.215		1681	0.14
	398	0.145		1680	0.03
	399	0.055		1679	0.002
	402	0.01		1687	0.10
	34B	0.065		1688	0.015
	384	0.025		1689	0.13
				1690	0.01
Jasaidih No. 27	195	0.03		1691	0.83
Sardari Circle Pindari	1479	0.17		1707	0.015
	1480	0.003		1708	0.075
	1481	0.12		1709	0.09
	1482	0.02		1710	0.11
	1483	0.02		1712	0.025
	1484	0.04		1713	0.125
	1505	0.10		1714	0.03
	1488	0.025		1732	0.04
	1489	0.05	Sardari Circle Pindari	1751	0.195
	1504	0.03	Sugapahari No. 42	54	0.13
	1491	0.03	Sardari Circle Pindari	88	0.005
	1503	0.025		75	0.11
	1492	0.03		74	0.035
	1502	0.04		73	0.17
	1501	0.05		72	0.01
	1493	0.025		71	0.06
	1499	0.025		69	0.015
	1498	0.025		70	0.10
	1500	0.03		217	0.005
	1511	0.02		216	0.03
	1512A	0.02		137	0.03
	1512B	0.10		213	0.035
	1515	0.01		215	0.015
	1514	0.05		214	0.04
	1516	0.04		207	0.18
	1568	0.11		206	0.065
	1517	0.06		205	0.01
	1518	0.09		203	0.04
	1520	0.02		200	0.035
	1521	0.07		199	0.05
	1522	0.05		265	0.045
	1523	0.11		266	0.04
	1524	0.06		267	0.03
	1525	0.05		268	0.04
	1526	0.05		198	0.005
	1547	0.04		269	0.03
	1527	0.04		270	0.115
	1545	0.04		273	0.275
	1546	0.03		274	0.045
	1584	0.03			
	1962		Sugapahari No. 42	390A	0.055
				389	0.06

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Sardari Circle Pindari	391	0.035	Dewalbari No. 47/49	364	0.10
	388	0.045	Sardari Circle Kalajharia	361	0.11
	381	0.18	—cnold.	359	0.04
	397	0.085		360	0.17
	398	0.065		358	0.16
	501	0.20		354	0.05
	376	0.075		355	0.03
	375	0.03		353	0.23
	372	0.11		352	0.29
	588	0.26		351	0.06
	520	0.165		344	0.14
	522	0.145		345	0.15
390B	0.035			346	0.02
				342	0.06
Sugapahari No. 19	312	0.34		349	0.46
	313	0.03		448	0.005
Sardari Circle Pindari	318	0.01	Rampur Madhopur No.	10	0.03
	317	0.32	49.	11	0.54
	319	0.31	Sardari Circle Kalajharia	9	0.13
	432	0.005		8	0.12
	320	0.01		7	0.08
	342	0.12		25	0.05
	343	0.09		26	0.11
	344	0.05		27	0.09
	347	0.01		29	0.01
	346	0.14		28	0.22
	345	0.01		70	0.09
	337	0.10		348	0.04
	381	0.03		346	0.075
	384	0.005		347	0.03
				343	0.165
Dewalbari No. 47/69	13	0.04		345	0.01
Sardari Circle Kalajharia	14	0.08		342	0.05
	15	0.105		358	0.07
	16A	0.025		359	0.02
	12A	0.07		341	0.03
				360	0.05
				339	0.09
	974			361	0.02
	12B	0.04		363	0.03
				362	0.01
				400	0.03
	974			364	0.01
	12C	0.28		362	0.01
				399	0.01
	974			402	0.04
	16B	0.13		405	0.07
	65	0.005		406	0.05
	12	0.42		408	0.06
	442	0.06		409	0.03
	443	0.38		410	0.03
	440	0.005		396A	0.04
	439	0.045		411	0.02
	444	0.03		412	0.055
	438	0.06		414	0.035
	600	0.06		415	0.065
	437	0.04		419	0.01
	436	0.09		418	0.08
	435	0.18		416	0.02
	433	0.10		417	0.21
	431	0.02		441	0.015
	432	0.07		440	0.02
	430	0.10		431	0.04
	362	0.005		439	0.08
	363	0.07		453	0.30
	429	0.015			

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Rampur Madhopur No.	438	0·095	Rampur Madhopur No.	647	0·005
49.	438	0·10	49.	648	0·025
Sardari Circle Kalajhari	—	—	Sardari Circle Kalajhari.	650	0·04
—contd.	1161	—	—contd.	649	0·03
	437	0·03		646	0·015
	436	0·02		644	0·06
	508	0·01		643	0·08
	506	0·04		642	0·01
	507	0·205		639	0·025
	663	0·08		638	0·015
	662	0·085		637	0·045
	552	0·01		636	0·02
	661	0·255		562	0·10
	657	0·04		563	0·07
	541	0·02		564	0·10
	656	0·05		619	0·035
	1171	—		566	0·06
	656	0·205		567	0·035
	655	0·01		568	0·02
	651	0·05		1167	0·035
	654	0·01		641	0·02
	652	0·05		396B	0·055

[No. 31/47/63-ONG-iv.]

New Delhi, the 28th April 1964

**S.O. 1591.**—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State and Haldia Port in Calcutta in West Bengal State, a pipeline should be laid by the Indian Refineries Limited and that for the purpose of laying such a pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the competent authority at 9, Syed Amir Ali Avenue, Calcutta-17 in the office of the Indian Refineries Limited. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

## SCHEDULE

STATE—West Bengal.

TEHSIL/THANA—Panskura

DISTRICT—Midnapore.

Village	Survey Nos. (Plot Nos.)	Extent (Arca)	Village	Survey Nos. (Plot Nos.)	Extent (Arca)
Baradabar, J.L. 298	492	·28	Uttar Sagarbar J.L. 306-contd.	111	·48
	493	·12		113	·005
	494	·06			
	495	·04			
Uttar Sagarbar, J.L. 306	3	·05	Pyarit, J. L. 299	1013	·35
	9	·08		1014	·12
	101	·06		1018	·12
	110	·005		1019	·18
				1021	·07

Village	Survey Nos. (Plot Nos.)	Extent (Area)	Village	Survey Nos. (Plot Nos.)	Extent (Area)
Pyarit J.L. 299 — <i>contd.</i>	1034	·09	Mihitikri, J.L. 300 — <i>contd.</i>	1264	·28
	1036	·20		1287	·09
	1037	·10		1290	·09
	1040	·19		1292	·12
	1041	·05		1294	·12
	1042	·005		1295	·09
	1043	·005		1296	·05
	1045	·01		1298	·16
	1046	·11		1299	·005
	1047	·14		1300	·005
	1048	·15		1301	·20
	1049	·12		1302	·01
	1069	·12		1345	·18
	1070	·12		1346	·04
	1071	·005		1348	·08
	1072	·005		1356	·24
	1083	·05		1357	·06
	1085	·04		1361	·24
	1086	·20		1363	·14
	1087	·02		1364	·12
	1088	·18		1370	·005
	1115	·07		1392	·04
	1117	·02		1397	·12
	1118	·25		1398	·24
	1119	·05		1399	·04
	1123	·12		1400	·12
	1124	·30		1403	·24
	1138	·10		1404	·28
	1139	·05		1405	·01
	1141	·40		1406	·16
	1230	·10		1413	·04
	1232	·10		1415	·01
	1234	·10		1432	·06
Mihitikri, J.L. 300	785	·11		1488	·005
	786	·08		1550	·12
	787	·22		1585	·09
	798	·15		1586	·15
	799	·12		1613	·02
	800	·14			
	801	·15	Kharisha, J.L. 294	278	·03
	803	·03		374	·30
	813	·14		375	·22
	814	·10		377	·09
	815	·11		378	·02
	816	·32		379	·005
	822	·22		381	·08
	832	·02		382	·08
	842	·18		383	·08
	843	·10		384	·005
	844	·40		387	·04
	845	·01		388	·06
	846	·03		392	·02
	858	·18		400	·07
	859	·08		401	·04
	860	·10		402	·01
	861	·04		403	·01
	862	·08		404	·005
	863	·03		434	·10
	866	·09		435	·40
	867	·22		436	·005
	880	·02			
	1157	·08			
	1158	·09	Raksachak, J.L. 293	549	·05
	1254	·09		555	·09
	1262	·20			

Village	Survey Nos. (Plot Nos.)	Extent (Area)	Village	Survey Nos. (Plot Nos.)	Extent (Area)
Raksachak J.L. 293 —contd.	556	·005		869	·005
	557	·11		870	·02
	558	·06		871	·02
	559	·005		878	·12
	569	·04		879	·12
	570	·05		880	·18
	571	·05		881	·04
	572	·03		883	·12
	573	·01		891	·05
	577	·005		892	·05
	578	·14		893	·10
	579	·18		1145	·04
	580	·07		1146	·02
	581	·06		1150	·005
	585	·04		1151	·06
	586	·04		1152	·04
	610	·07			
	611	·07	Barisha, J.L. 289	152	·12
	612	·07		153	·16
	613	·08		154	·05
	614	·20		155	·02
	700	·18		156	·04
	701	·01		158	·04
	702	·08		302	·18
	703	·06		303	·01
	704	·02		309	·05
	714	·02		310	·11
	715	·05		311	·08
	716	·22		312	·11
	717	·19		777	·12
	718	·03			
	719	·01	Babua, J.L. 290	144	3·88
	722	·09		145	·09
	725	·10		146	·005
	726	·18		233	·10
	728	·14		234	·07
	729	·12		235	·09
	731	·03		342	1·78
	861	·06		345 (River)	

[No. 31/33/63-ONG .J]

New Delhi, the 29th April 1964

**S.O. 1592.**—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2639, dated the 7th September 1963 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

STATE—Bihar

DISTRICT—Monghyr

THANA—Chakai

Village with Thana No.	Survey No. (Plot No.)	Extent in acre	Village with Thana No.	Survey No. (Plot No.)	Extent in acre
Mahapur No. 3 Tola—Pidrona	22B	0·23	Mahapur No. 3 Tola—Razla—Kalan — <i>contd.</i>	870A	0·035
	33	0·445		870B	0·04
	43A	0·105		870C	0·04
	43B	0·09		870D	0·045
	43C	0·07		926	0·09
	43D	0·055		924	0·06
	43E	0·015		925	0·03
	44A	0·08		923	0·02
	44B	0·09		922	0·08
	44C	0·11		920	0·015
	108	0·075		921	0·065
	109	0·25		928	0·045
	127	0·12		929A	0·14
	124	0·06		929B	0·51
	123	0·09		930	0·05
	131A	0·36		931	0·155
	131B	0·02		932A	0·11
	131C	0·04		932B	0·06
	131D	0·05		869	0·045
	131E	0·03		933	0·13
	131F	0·045		934A	0·02
	134	0·15		934B	0·02
	136	0·255		934C	0·025
	137A	0·175		934D	0·025
	137B	0·025		935	0·05
	137C	0·06		936	0·06
	137D	0·035		937A	0·04
	137E	0·075		937B	0·04
	132	0·02		937C	0·02
Mahapur No. 3 Tola—Razla—Kalan	767	0·05		938A	0·025
	768	0·03		938B	0·02
	769	0·085		938C	0·02
	770	0·005		938D	0·02
	762	0·09		941	0·11
	746	0·05		942A	0·01
	745	0·31		942B	0·04
	742	0·07		1394	0·09
	743	0·08		1397	0·055
	829	0·015		1396	0·16
	830	0·16		1400A	0·04
	836A	0·005		1400B	0·02
	836B	0·015		1399	0·0
	857A	0·06		1401	0·025
	857B	0·04		1402	0·26
	857C	0·01		1389	0·08
	857D	0·09		1382	0·03
	851A	0·007		1384A	0·08
	851B	0·02		1384B	0·02
	852	0·07		1384C	0·04
	856A	0·025		1384D	0·08
	856B	0·03		1384E	0·42
	856C	0·03		1384F	0·04
	856D	0·03		1378	0·02
	865	0·075		1376	0·62
	866	0·09		1374	0·07
	855	0·01		1377	0·09
	854	0·045		1373A	0·03
	867	0·09		1373B	0·08
	868	0·07		1373C	0·03
				1372A	0·01

Village with Thana No.	Survey No. (Plot No.)	Extent in acre	Village with Thana No.	Survey No. (Plot No.)	Extent in acre
Mahapur No 3	1372B	0.03	Mahapur No. 3	760	0.10
Tola-Razla-Kalan.	1372C	0.01	Tola—Narganjo— <i>contd.</i>	756	0.01
— <i>contd.</i>	1372D	0.05		759	0.21
	1371A	0.01		831B	0.30
	1371B	0.015		832	0.045
	1371C	0.01		833	0.005
	1371D	0.015		837	0.04
	1371E	0.03		840C	0.14
	1371F	0.02		840D	0.065
	1371G	0.01		840E	0.015
	2152A	0.08		842	0.03
	2152B	0.17		745	0.05
	2148	0.05		744	0.12
	2146	0.14		746	0.15
	2147	0.008		439	0.01
	2141	0.22		718	0.16
	2139	0.25		431B	0.065
	2138	0.02		431C	0.16
	2135	0.27		431D	0.16
	2134	0.08		431E	0.04
	2133	0.30		425	0.11
	2184	0.08		426	0.01
	2187	0.035		419A	0.015
	2185	0.005		419C	0.025
	2186A	0.065		419D	0.035
	2186B	0.19		419E	0.16
	2192	0.10		419F	0.08
	2191	0.06		407A	0.075
	2193	0.04		407B	0.10
	2197	0.04		407C	0.13
	2196A	0.04		408	0.015
	2196B	0.08		416	0.14
	2196C	0.11		409	0.09
	2198	0.075		410	0.09
	2199	0.07		400A	0.09
	2203	0.005		400B	0.09
Mahapur No. 3	953	0.08		396	0.09
Tola—Razla Khurd				393	0.22
Mahapur No. 3	782A	0.05		394	0.02
Tola—Narganjo	782B	0.10		388	0.11
	782C	0.15		386	0.12
	782D	0.08		379	0.08
	782E	0.26		377	0.07
	782F	0.13		374	0.22
	782G	0.055		372	0.19
	782H	0.015		369	0.20
	784A	0.01		367	0.14
	784B	0.04		359	0.06
	784C	0.14		356	0.005
	792	0.37		357	0.12
	786	0.05		351	0.06
	787	0.06		349	0.09
	775	0.01		346	0.11
	774	0.64		338A	0.07
	771	0.14		338B	0.19
	768	0.03		343	0.03
	769A	0.008		339A	0.065
	769B	0.16		339B	0.22
	767	0.05		340	0.01
	764	0.01		971	0.07
	765	0.015		991	0.55



**S.O. 1593.**—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2497, dated the 22nd August 1963 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

## Schedule

State-Bihar			District Monghyr			Thana Chakai		
Village with Thana No.	Survey No. (Plot No.)	Extent in acre	Village with Thana No.	Survey No. (Plot No.)	Extent in acre]			
Telwa No. 29	14A	0·005	Telwa No. 29	362	0·02			
Tola—Godaia	14B	0·03	Tola—Godaia— <i>contd.</i>	365	0·14			
	15	0·09		367	0·19			
	17A	0·015		368	0·09			
	17B	0·085		388A	0·07			
	16A	0·01		388C	0·025			
	16B	0·035		388B	0·09			
	46	0·01		384	0·015			
	45	0·045		382	0·10			
	47A	0·06		381	0·01			
	56	0·005		390A	0·065			
	52	0·01		390B	0·06			
	51A	0·015		656	0·03			
	51B	0·01		661	0·03			
	50	0·055		659	0·18			
	331A	0·135		651	0·015			
	331B	0·20		648	0·06			
	331C	0·16		989	0·015			
	330	0·02		647	0·12			
	329	0·005		644	0·105			
	324	0·02		643	0·02			
	332	0·11		639A	0·07			
	333	0·03		639B	0·085			
	340A	0·12		675A	0·02			
	340B	0·13		675B	0·01			
	340C	0·075		675C	0·035			
	340D	0·135		675D	0·03			
	353	0·025		675E	0·025			
	318	0·04		675F	0·01			
	352	0·12		695A	0·01			
	358	0·03		695B	0·03			
	357	0·06		694	0·045			
	356	0·04		693	0·025			
	361A	0·045		699A	0·005			
	361B	0·095		699B	0·01			
	361C	0·03		699C	0·025			

Village with Thana No.	Survey No. (Plot No.)	Extent in acre	Village with Thana No.	Survey No. (Plot No.)	Extent in acre
Telwa No. 29	699D	0.03	Telwa No. 29	657	0.085
Tola-Godaia— <i>contd.</i>	699E	0.008	Tola-Siantanr	661	0.005
	699F	0.01		664	0.09
	691	0.015		665	0.025
	902	0.005		666	0.07
	896A	0.025		668A	0.07
	896B	0.04		668B	0.065
	896C	0.02		668C	0.035
	896D	0.01		669	0.055
	896E	0.005		673	0.01
	896F	0.06		675	0.015
	897	0.02		676	0.005
	899	0.03		683B	0.035
	900	0.04		680A	0.06
	890A	0.05		680B	0.02
	890B	0.11		678	0.005
	889	0.045		679	0.04
	887A	0.08	Telwa No. 29	231	0.01
	887B	0.035	Telwa-Bazar	229	0.12
	887C	0.13		232	0.03
	887D	0.07		237	0.01
	887E	0.08		238A	0.06
	883	0.035		238B	0.31
	882	0.055		227	0.01
	876	0.075		247A	0.085
	877	0.02		246	0.04
	875	0.045		247B	0.30
	874	0.09		248	0.145
	960	0.14		291	0.195
	959	0.03		252	0.35
	951A	0.075		282A	0.055
	951B	0.03		283	0.015
	951C	0.04		284	0.015
	964	0.105		282B	0.11
	976	0.045		282C	0.075
	977	0.095		280	0.015
Telwa No. 29	41A	0.08		302	0.005
Tola-Telwa Bazar	41B	0.05		303A	0.205
	43	0.07		303B	0.09
	40	0.035		303C	0.17
	53A	0.115		308	0.08
	53C	0.355		385	0.01
	74A	0.12		373	0.175
	74B	0.095		371	0.005
	74C	0.195		370	0.035
	71A	0.445		369A	0.045
	71B	0.17		369B	0.06
	69	0.025		368	0.04
	79	0.048		329	0.005
	80	0.035		330	0.015
	81	0.15		367	0.12
	90A	0.27		361	0.015
	90B	0.15		332	0.06
	91	0.14		336	0.005
Telwa No. 29	620A	0.335		335	0.005
Tola-Siantanr	620B	0.09		333	0.08
	620C	0.08		334	0.055
	620D	0.03		339	0.045
	620E	0.04		1568	0.215
	624	0.02	Telwa No. 29	1477	0.10
	625	0.05	Tola-Siantanr	1478	0.36
	659A	0.06		1479	0.10
	659B	0.11		1480A	0.045
	660	0.06		1480B	0.055
	658	0.06		1480C	0.05

Village with Thana No.	Survey No. (Plot No.)	Extent in acre	Village with Thana No.	Survey No. (Plot No.)	Extent in acre
Telwa No. 29	1480D	0.08	Telwa No. 29	1689	0.07
Tola Siantanr— <i>contd.</i>	1499	0.09	Tola Siantanr	1650	0.11
	1500A	0.05		1651	0.005
	1500B	0.07		1639	0.045
	1500C	0.05		1640	0.15
	1500D	0.03		1645	0.94
	1500E	0.02		1590	0.01
	1501	0.05	Telwa No. 29	1084	0.26
	1521A	0.025	Tola-Pathalchatti	1085	0.02
	1521B	0.025		1086	0.46
	1536	0.005		1088	0.005
	1521C	0.03		1087	0.015
	1522	0.02		1098	0.025
	1535A	0.01		1080	0.225
	1535B	0.035		1079	0.005
	1523	0.02		1071	0.08
	1533A	0.05		1070	0.125
	1533B	0.01		1055	0.06
	1534A	0.11		1054	0.015
	1534B	0.01		1069	0.03
	1589	0.24		1053	0.10
	1585	0.015		1049	0.14
	1584	0.035		1048	0.115
	1583	0.05		1046B	0.205
	1582	0.055		1327	0.24
	1580	0.075		1328	0.005
	1579	0.09		1331	0.515
Telwa No. 29	1599	0.02		1366	0.035
Tola-Siantanr	1600	0.03		1333	0.025
	1578	0.06		1365	0.17
	1601	0.03		1362	0.125
	1605	0.08		1361	0.05
	1602	0.02		1360	0.145
	1604	0.055		1359A	0.02
	1603	0.06		1359B	0.06
	1673	0.08		1356	0.06
	1674	0.01		1355	0.03
	1669	0.08		1354	0.60
	1668	0.095		1441	0.21
	1667	0.005		1440	0.22
	1662	0.09		1438A	0.065
	1666	0.01		1439	0.05
	1663	0.10		1437	0.21
	1688	0.10		1436	0.41
	1660	0.02		1438C	0.03
	1687	0.02		1439	0.23

[No. 31/47/63-ONG-ii.]

**S.O. 1594.**—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2824, dated the 27th September 1963 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right

of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances

## SCHEDULE

State—Bihar

District—Santhal Parganas

Village with Thana No	Survey No. (Plot No.)	Extent in acre	Village with Thana No	Survey No. (Plot No.)	Extent in acre
Raghnathpur No. 64	2508	0 005	Sardari Circle Jam-		
	2651	0 01	tara.	5843	0 065
Sardari Circle Kala-	2678	0 005		5959	0 78
pharia.	2682	0 005	Garainala No 4	1226	0 31
Saharpur No 65.	1766	0 005	Sardari Circle		
	1767	0 002	Mihijam.		
Sardari Circle Kala-			Nayachak No 537	161	0 04
pharia.	1971	0 008		238	
	2062	0 015			
Bewa No. 8	3884	0 003	Thana—Madhupur.		

[No 31/47/63-ONG-III]

**S.O. 1595.**—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No 502, dated the 28th January 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines,

And whereas the competent authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government,

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification,

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances

## SCHEDULE

State.—Uttar Pradesh

Tahsil—Bindki

District—Fatehpur

Village	Survey No.	Extent	Village	Survey No.	Extent
		B B. B.			B. B. B.
1. Sikrohari	336	1 14 0		353	0 4 0
	340	1 3 0		355	1 12 0
	341	0 17 10		357	1 0 10
	342	0 4 0		358	0 9 0
	349	0 0 10		360	1 2 0
	350	0 6 0		362	0 12 10
	351	0 19 0		364	0 4 0

Village	Survey No.	Extent	Village	Survey No.	Extent
		B. B. B.			B. B. B.
1. Sikrohri	365	0 1 0		405/376	0 4 0
	367	1 1 6	2. Mirai	903	0 3 3
	369	0 4 0		904	1 3 14
	370	0 12 0		905	0 1 1
	371	0 7 0		950	0 7 4
	373	0 4 0		960	0 3 12
	374	0 5 0			
	376	0 18 0			

[No. 31/50/63-ONG.]

**S.O. 1596.**—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 3288, dated the 12th November 1963 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

## SCHEDULE

State—Uttar Pradesh. Distt.—Allahabad.

Tahsil—Karchhara

Village	Survey No.	Extent	Village	Survey No.	Extent
		B. B. B.			B. B. B.
1. Kateka	258/2	0 0 5		291	0 13 10
	259/2	0 0 10		292/11	0 3 10
	260/4	0 2 0		293	0 10 10
	261	0 5 5		302/1	0 12 15
	262	0 4 0		303	0 0 5
	263	0 1 5		319/1	0 4 0
	264	0 6 0		321/2	0 0 3
	265	0 0 5	2. Mahava Taluke	170/1	0 4 0
	268	0 0 5	Bhunda	170/2	0 6 10
	269	0 7 15		171	0 5 5
	270	0 7 5		172	0 2 10
	271/2	0 8 10		175	0 0 10
	274/1	0 3 0		176	0 2 10
	274/2	0 2 15		177/1	0 10 0
	274/3	0 3 5		178/1	0 2 13
	276/1	0 10 10		179	0 1 10
	278/1 M	0 1 10		180	0 1 10
	278/1 M	0 1 10		181	0 0 5
	278/2	0 4 5		202	0 0 15
	278/3	0 5 0	3. Deveri Kalan	234	0 15 10
	279	0 4 10			
	280	0 2 10			

Village	Survey No.	Extent	Village	Survey No.	Extent
		B. B. B.			B. B. B.
3. Deveri Kalan— <i>contd.</i>	235/1	0 2 0	5. Bastar— <i>contd.</i>	822	0 9 10
	235/2	0 5 10		823/2	0 0 5
	236	0 5 0		824/1	0 7 10
	239	0 3 0		824/2	0 1 0
	250	0 3 0		909	0 0 5
	599	0 6 10		912	0 0 5
	600	0 7 15		917	0 0 5
	620	0 5 5		918	0 4 0
	622	0 0 10		920	0 8 10
	623	0 4 10		922	0 1 15
	625	0 7 0		923/1	0 17 5
	627	0 8 15		923/2	1 1 0
	628	0 0 5		923/3	0 2 0
	629	0 2 0		926	0 8 10
	630	0 11 5		927	0 9 0
	635	0 0 15			
	636	0 14 5	6. Busdela	253	0 0 15
	639	0 4 0		254	0 2 0
	640	0 5 5		255	0 4 5
	643	0 0 10			
	644	0 0 10	7. Ghore Deeh	537	0 11 0
				538	0 2 15
				540	0 2 0
4. Garhwa Kalan	120/3	0 3 10		543/1	0 4 0
	121	0 3 0		544/2	0 5 5
	122	0 5 0		547	0 5 5
	123	0 5 0		549	0 1 0
	126	0 11 10		550	0 5 5
	127/1	0 1 10		551	0 4 0
	127/2	0 0 15		554	0 0 5
	127/3	0 0 15		559M	0 4 10
	128/1	0 1 0		560	0 14 10
	128/2	0 2 0		561/2	0 8 5
	129	0 7 0		564	0 4 0
	130	0 5 10		566	0 8 0
	131	0 4 5			
	132	0 0 10	8. Yaduie Taluke Khurd	215	0 5 10
	166/1	0 0 10		217/2	0 7 10
	166/2	0 2 10		222/2	0 10 10
	167/1	0 4 10		223/1M	0 0 5
	167/2	0 2 0		227	0 0 15
	171/1	0 4 5		228	0 1 15
	171/2	0 5 15		230	0 5 0
	194	0 5 10		231	0 6 10
	195	0 8 0		233	0 5 10
	197	0 10 0		234	0 3 10
	198/1	0 3 0		235	0 6 5
	199	0 4 10		236/1	0 0 5
	200	0 2 10		236/2	0 10 15
	222	1 12 10		311	0 4 15
				312	0 0 5
5. Bastar	245/2	0 0 5		313	0 5 0
	246	0 0 15		315	0 7 15
	256/2	0 9 0		317 M	0 6 0
	272	0 9 10		325	0 4 0
	273	0 6 15		328	0 3 5
	274	0 4 10		329	0 1 15
	275	0 0 5		336	0 0 10
	810	0 0 5		337M	0 4 0
	811	0 11 10		337 M	0 2 0
	815	0 2 10		351	0 2 5
	816	0 3 0		352	0 0 10
	817	0 5 10		353	0 2 0
	818	0 7 10		354	0 2 0
	820	0 4 10		355	0 2 5

Village	Survey No.	Extent	Village	Survey No.	Extent
		B. B. B.			B. B. B.
8. Yaduie Taluke	359	0 12 15	10. Gadhyeon— <i>contd.</i>	724	0 4 15
Khurd— <i>contd.</i>	360	0 3 0		725	0 6 0
	361	0 13 10		726	0 2 10
	363	0 0 5		729/6	0 1 0
9. Puraini	170	0 1 5		730	0 5 0
	171	0 7 10		731	0 1 10
	172	0 8 10			
	173	0 4 0			
	174	0 3 10			
	175/1	0 1 10	11. Puchdevara	256/2	0 6 0
	175/2	0 1 10		257/2	0 3 5
	175/3	0 1 0		259/1	0 0 10
	177/1	0 2 0		260/1	0 3 10
	177/2	0 8 5		261/1 M	0 1 0
				261/1 M	0 1 0
10. Gadhyeon	575	0 11 15		273/1	0 2 0
	576	0 0 5		273/2 M	0 6 10
	577	0 2 10		274	0 2 10
	610 M	0 4 10		277	0 8 10
	610 M	0 7 0		352	0 6 10
	610 M	0 10 0		353/1	0 0 10
	614	0 5 10		353/2	0 3 10
	615 M	0 5 10		359	0 5 5
	619 M	0 4 10		360/1	0 2 15
	619 M	0 2 0		360/3	0 2 15
	622	0 5 5		363	0 3 0
	623	0 0 5		364/2 M	0 5 5
	624/1 M	0 2 15		365/2	0 1 0
	624/2 M	0 2 0		385/1	0 1 3
	627	0 2 10		286/1/1	0 2 0
	628	0 5 5		386/1/2	0 3 0
	649 M	0 0 5		387 M	0 3 0
	663 M	0 3 15		389	0 8 5
	668/3	0 0 10		390/1	0 0 10
	668/4	0 3 0		396	0 7 5
	668/6	0 0 5		398	0 0 5
	668/7 M	0 3 10		399	0 6 0
	668/10	0 4 0		400	0 2 10
	668/11	0 5 0		401	0 5 10
	668/14	0 5 5		410	0 3 0
	668/28	0 1 10		411	0 5 5
	668/29	0 9 0		414	0 0 10
	668/30, 31	0 2 0		415	0 9 0
	681	0 2 10	12. Bharha	189	0 12 10
	682	0 6 10		190	0 8 0
	684/1	0 9 15		191	0 7 10
	686	0 0 5		254/2	0 6 0
	690	0 2 10		259	0 4 5
	691	0 6 5		260/2	0 5 0
	692	0 4 15		262	0 4 0
	693	0 7 5		271 M	0 1 5
	699/3	0 7 5		272	0 3 0
	704	0 4 15		273/1	0 3 0
	705/2	0 2 10		273/2	0 3 0
	710/1	0 5 0		274	0 0 5
	710/2	0 0 10		276/1	0 5 0
	714	0 9 15		277	0 6 0
	716	0 9 15		281/1, 3	0 3 15
	717	0 0 5		313	0 1 10
	718	0 4 0		314	0 5 10
	719	0 5 0		317	0 0 10
	722	0 0 5		319/1	0 3 10
	723	0 4 10		319/2	0 4 15

Village	Survey No.	Extent	Village	Survey No.	Extent
		B. B. B.			B. B. B.
12. Bharha—contd.	324	0 8 0		396	0 0 5
	325	0 3 10		397	0 0 10
	326/1	0 1 10		399	0 0 10
	326/2	0 1 0		400	0 2 10
	330	0 2 0			
	331	0 6 10	14. Mugari	2770/1	0 3 0
	334	0 5 0		2770/2	0 3 0
	354	0 6 0		2770/3	0 4 0
	358	0 6 0		2772	0 4 10
	359	0 6 0		2773	0 5 10
	360	0 3 0		2774	0 1 15
	368	0 10 0		2775	0 1 15
	372/1	0 1 5		2776	0 0 5
	377	0 14 0		2794	0 10 5
	383	0 10 0		2801	0 4 10
	386	0 16 0		2802	0 5 5
	389	0 0 10		2805	0 7 10
	390	0 16 0		2806	0 0 10
				2807	0 0 5
13. Basaria	114	0 5 0		2821	0 0 15
	115	0 6 0		2823	0 2 0
	116	0 14 10		2825	0 8 0
	118	0 9 15		2826	0 6 0
	124	0 0 15		2832	0 2 0
	237/2	0 0 5		2833	0 1 10
	238	0 5 0		2834	0 3 0
	243	0 0 5		2840	0 1 10
	244	0 4 15		2841	0 3 0
	245	0 0 15		2850	0 5 5
	246	0 0 5		2851	0 2 5
	252	0 11 0		2854	0 2 5
	257	0 5 5		2861	0 4 0
	265/1	0 2 10		2862	0 2 10
	265/2	0 2 10		2864/2	0 3 10
	266/1	0 5 10		2865	0 4 5
	266/2	0 4 5		2866	0 4 10
	266/3	0 0 10		2867	0 5 0
	266/4	0 0 10		2938	0 6 0
	278/2	0 2 0		2939	0 4 10
	279	0 2 10		2940	0 1 10
	287/2	0 1 0		2941 M	0 4 10
	288/1	0 0 10		2942 M	0 4 0
	288/2	0 1 0		2945	0 7 10
	288/3	0 1 0		2958/1	0 7 0
	289/1	0 3 0		2959	0 1 5
	289/2	0 2 15		2960	0 3 0
	290	0 1 0		2961/1	0 5 0
	314	0 1 0		2962/2 M	0 4 2
	316	0 2 0		3025/1	0 0 10
	317	0 6 15		3026/1	0 7 15
	322	0 1 0		3028/1	0 5 10
	323	0 2 15		3029	0 7 0
	324	0 1 10		3039	0 3 0
	325	0 3 10		3040	0 5 0
	326	0 1 10		3045	0 1 10
	351	0 6 0		3052	0 0 5
	352	0 0 10		3053	0 7 10
	353	0 1 0		3054	0 10 10
	354	0 0 10		3077	0 3 5
	358M	0 4 8		3078	0 1 5
	358M	0 4 7		3091	0 0 5
	361	0 9 10		3092	0 4 5
	362	0 5 5		3093	0 0 5
	364	0 4 0		3094	0 6 0
	365/1	0 0 5		3095	0 0 5



Village	Survey No.	Extent	Village	Survey No.	Extent
		B. B. B.			B B B.
14. Mugari—contd.	3096	0 8 15		563	0 0 15
	3097	0 0 10		564	0 15 15
	3100	0 11 0		565	0 1 0
	3101	0 2 0		566	0 4 5
	3119	0 10 0		567/1	0 2 5
	3128	0 0 5		567/2	0 3 5
	3129	0 0 15		567/3	0 0 5
	3130	0 4 0		571	0 6 15
	3131	0 4 10	17. Beohara	54	0 0 10
	3132	0 3 0		55/2	0 1 0
	3133	0 0 10		56	0 1 10
	3134	0 4 5		57	0 6 10
	3135	0 6 10		58	0 2 0
15. Harduwa	20	0 2 5		59	0 4 15
	21	0 5 0		80/1	0 7 15
	23	0 4 10		80/2	0 3 5
	25	0 0 4		81	0 8 10
	32	0 0 9		82	0 3 5
	33	0 14 4		83/1	0 14 0
	34/2	0 3 0		85/3	1 0 10
	40	0 1 8		88	0 11 10
	41	0 3 5		92	0 8 10
	42	0 3 8		93	0 1 5
	48	0 5 10		94/1	0 3 5
	49	0 3 15		95/1	0 4 0
	52	0 8 8		95/2	0 2 10
	53/1	0 4 10		96	0 4 0
	58 M	0 1 7		97/1	0 1 5
	65/1	0 3 10		97/2	0 3 0
	65/2	0 6 10		98	0 3 15
16. Rampur Taluke—				100	0 6 10
Mungari	211 M	0 3 15		103/1	0 2 15
	211 M	0 2 0		103/2	0 2 5
	214	0 9 10		103/3	0 0 5
	215	0 2 10		104	0 0 15
	217/1	0 1 10		270	0 7 0
	218	0 2 10		271	0 5 0
	219	0 1 15		272	0 3 10
	220	0 1 10		273	0 7 0
	221/2	0 0 5		274/2	0 1 0
	226	0 3 0		275/1, 2	0 3 0
	227	0 4 5		275/3, 4	0 10 0
	228	0 5 0		275/5	0 3 15
	231	0 9 5		276/1	0 0 5
	232	0 4 5	18. Chack Mohummed-	71/1	0 2 15
	233	0 0 5	Waris	71/2	0 1 0
	234/1	0 5 5		72/3	0 5 0
	234/2	0 2 5		73/1	0 4 0
	245/1	0 7 10		73/2	0 6 10
	246/1	0 0 10		89	0 8 10
	246/12	0 0 10		90	0 3 5
	246/20	0 2 0		94	0 1 0
	246/25	0 5 0		95	0 6 10
	246 26	0 1 0		96	0 1 10
	297	0 0 15		101	0 1 15
	473	0 1 10		102/1, 2	0 2 0
	475/1	0 15 10		109	0 3 10
	476	0 14 0		110	0 7 0
	478	0 5 5		112	0 3 10
	479	0 5 15		113	0 7 5
	480	0 0 5		129/3	0 2 0
	554	0 9 5	19. Bajcha	360	0 0 5
	556	0 5 10			

Village	Survey No.	Extent	Village	Survey No.	Extent
		B. B. B.			B. B. B.
19. Bajcha— <i>contd.</i>	361	0 3 0	23. Mahuware Taluke-lavain— <i>contd.</i>	147	0 2 0
	362	0 1 0		148	0 6 0
	363	0 2 0		149	0 0 10
	364	0 7 15		151	0 5 0
	365/1	0 0 15		152/1	0 5 0
	372	0 17 5		152/3	0 2 10
	373	0 1 0		154/1	0 0 5
	374/1	0 7 15		163	0 5 0
	375	0 3 0		164	0 0 10
	376	0 18 15		166/2	0 2 15
	383	0 8 10		168	0 3 10
20. Navada Samogar	188	0 4 15		169/1	0 0 5
	189	0 5 15		169/2	0 4 10
	190	0 4 10		239	0 6 10
	191	0 15 5		241	0 11 0
	193	0 6 0		242	0 12 0
	194	0 3 0		243	0 5 0
	197/1	0 11 0		244	0 0 10
	198/1	0 0 10		258	0 1 0
	199/1	0 1 10		261/2	0 1 5
	199/2	0 1 0		262	0 5 15
	199/3	0 0 5		263	0 0 10
	200	0 3 15		264/1	0 3 10
	215	0 10 0		264/2	0 5 0
	219/1	0 3 15		264/3	0 3 10
	219/2	0 3 10		265	0 1 0
	219/3	0 3 0		266	0 3 0
	219/4	0 3 0		270	0 1 5
	219/5	0 2 0		274	0 1 10
	219/6	0 2 0		277	0 14 10
	227	0 12 0		280	0 3 5
	229	0 9 10		281	0 0 5
	233	0 4 15		320	0 7 10
	234	0 8 5		321	0 2 10
	241	0 6 10		325	0 4 15
	242/1	0 5 0		326	0 13 10
	242/2	0 1 10		334	0 5 10
	243/1	1 0 0		336/1	0 3 15
	243/2	0 1 10		336/2	0 0 10
	247/1	0 6 0		337	0 9 0
	247/2	0 4 15		340	0 1 10
21. Masika	401	0 2 0		343	0 18 0
	406	0 11 0		344	0 19 0
	407	0 12 0		347	0 13 5
	410 M	0 5 0		348	0 18 0
	411/2	0 1 0		349/1	0 5 0
22. Rehi Kalan	16/2	0 0 10		349/2	0 4 10
	17	0 1 5		350/1	0 2 5
	18/1	0 2 0		350/2	0 3 10
	18/2	0 0 15		350/3	0 0 15
	19	0 9 10		350/4	0 11 0
	20	0 3 0		351/1	0 6 10
	21	0 4 0		351/2	0 3 10
23. Mahuware Taluke-lavain	129	0 6 0	24. Bharauhan	23	0 10 0
	131	0 6 0		24	0 7 5
	133	0 1 10		32/1	0 9 0
	137	0 7 0		33/1	0 4 0
	139	0 5 0		33/2M	0 3 0
	140	0 0 5		33/3	0 5 0
	144	0 3 10		34	0 6 15
	146	0 1 10		49/1	0 1 0
				49/2	0 0 15
				49/3	0 4 5
				62/3	0 2 10
				66	0 3 10

Village	Survey No.	Extent	Village	Survey No.	Extent.
		B. B. B.			B. B. B.
24. Bharauhan— <i>contd.</i>			27. Dadri Taluko		
67	0 2 15		Naini Dadri— <i>contd.</i>	261	0 4 15
68	0 4 5			262	0 6 10
69	0 0 5			264/1M	0 1 10
70	0 5 15			264/1M	1 3 10
71	0 2 10			264/11	0 13 10
72	0 13 15			264/12	0 7 10
73/1	0 3 0			264/16	0 1 10
73/2	0 11 10			264/19	0 1 10
74	0 1 5			264/20	0 3 15
77/2	0 12 10			264/32	0 3 0
86/1	0 8 5		28. Chak Kaji	4	0 10 0
86/2/3	0 11 5			5	0 1 5
86/4	0 1 5			18	0 0 2
86/5	0 14 10			22	0 6 8
87	0 12 0			23	0 2 0
88	0 8 10			24	0 5 10
89/2	0 0 5			25	0 10 10
90/1	0 5 0			26/1	0 5 15
91	0 7 0			26/2	0 0 5
94/1	0 5 10			30	0 2 0
25. Chak Durga Datt.	63/1	0 0 10	29. Chak Ataulla	49	0 1 0
	71/1	0 0 10		50	0 12 0
	72/1	0 7 10		51	0 2 10
26. Naini Taluko	612	0 7 0		52	0 6 0
Naini Dadri	613	0 1 10	30. Chak Muinuddin	46/1	0 3 0
	615/1	0 4 10		46/2	0 4 0
27. Dadri Taluko Naini-	106	0 1 10		51	0 6 10
dadri	258/1	0 0 15		52/1	0 1 5
	260	0 0 15			

[No. 31/50/63-ONG-ii.]

S.O. 1597.—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 688, dated the 29th February 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

#### SCHEDULE

tate—Gujarat	District—Baroda	Taluka—Karajan			
Village	Survey No.	Acre	Guntha	Sq. Yds	
Miyagam	1210	0	19	65	
„	1323	0	23	19	

[No. 31/38/63-ONG.]

**S.O. 1598.**—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 687, dated the 29th February 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

#### SCHEDULE

State—Gujarat			District—Baroda			Taluka—Padra			
Village			Survey No.			Acre	Guntha	Sq. Yds.	
Husepur	.	.	508/1	.	.	.	0	10	102
	.	.	507/3	.	.	.	0	0	51
	.	.	507/2	.	.	.	0	1	39
	.	.	507/1	.	.	.	0	1	85
	.	.	506	.	.	.	0	6	7
	.	.	505	.	.	.	0	10	89
	.	.	504/2	.	.	.	0	18	93
	.	.	478	.	.	.	0	0	27
	.	.	479	.	.	.	0	22	52
	.	.	480	.	.	.	0	7	1
	.	.	487	.	.	.	0	6	21
	.	.	486	.	.	.	0	6	21
	.	.	488/2	.	.	.	0	0	68
	.	.	488/1	.	.	.	0	3	28
	.	.	489	.	.	.	0	36	108
	.	.	456/2	.	.	.	0	29	68
	.	.	455	.	.	.	0	20	61
	.	.	Village Road	.	.	.	0	2	30
	.	.	453	.	.	.	0	4	78
	.	.	454	.	.	.	0	12	51
	.	.	452	.	.	.	0	4	103
	.	.	451	.	.	.	0	14	84
	.	.	Village Road	.	.	.	0	0	80
	.	.	Village Road	.	.	.	0	1	35
.	.	140/1	.	.	.	0	3	50	
.	.	140/2	.	.	.	0	4	6	
.	.	511	.	.	.	0	6	52	
Darapura	.	.	336	.	.	.	0	16	8

[No. 31/38/63-ONG-ii.]

**S.O. 1599.**—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 865, dated the 8th March 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

State—Gujarat			District—Broach			Taluka—Ankleshwar.		
Village	Survey No.	Area required in Gunthas	Village	Survey No.	Area required in Gunthas			
Adol	286	2.5	Adol— <i>contd.</i>	280(2)	1.0			
	288	1.0		280(3)	0.5			
	376(1)	0.5		285	1.0			
	375	0.5		4	0.5			
	299	2.5		283	1.0			
	289(2)	2.5		284	2.5			
	288	1.5		286	1.0			
	286	2.0		10	1.0			
	259(1)	3.0		284	1.0			
	262	2.0		286	1.5			
	261	2.0		20	2.0			
	265	3.0		19	2.5			
	281	3.0		17	0.5			
	284	1.5		263	3.0			
	285	0.5		264	2.5			
	286	0.5		282	0.2			
	36	0.5		283	1.5			
	22(1)	0.8		284	2.0			
	22(2)	0.4		286	0.2			
	21	3.2		285	1.5			
	19	2.5		283	1.0			
	17	2.5		284	2.2			
	263	1.2		V.P.	1.5			
	264	3.0		Road				
	282	0.2		304	1.5			
	283	1.5		294	3.5			
	284	2.0		295	1.5			
	286	0.7		293(3)	4.5			
	232	0.5		275	1.5			
	234(1)	3.0		276	2.0			
		2.7		277	0.6			
	234(2)	2.5		285	4.0			
	241	4.0		268	2.0			
	242(2)	2.5		279	1.0			
	242(1)	2.5		280(3)	0.7			
	253(1)	0.7		280(4)	0.7			
	353(2)	2.0		280(1)	1.0			
	251(1)	2.0		285	2.0			
	266	2.5		278	0.5			
	265	1.7		277	0.7			
	281	3.0		285	3.2			
	280(1)	0.2		307	1.0			

Village	Survey No.	Area required in Gunthas	Village	Survey No.	Area required in Gunthas
<i>Adol—contd.</i>			<i>Adol—contd.</i>		
	303	0.2		269 B	2.7
	302	2.0		285	1.0
	296	3.3		276	3.0
	292(1)	1.8		293(3)	3.0
	292(2)	2.2		293(2)	2.8
	292(3)	1.0		295	2.5
	291	2.2		303(2)	2.5
	286	2.0		306	2.2
	207	0.3		303(1)	3.2
	206	4.0		304(2)	0.2
	255	0.5		305(2)	2.5
	256	0.6		305(1)	
	254	3.6		320(1)	0.7
	261	3.0		248	1.5
	265	2.7		245	0.3
	281	3.0		247	1.5
	284	0.6		250	3.8
		1.0		250	2.2
	285	0.6		267	1.0
	244	0.5		266	0.3
	242(2)	0.6		279	3.0
	253(1)	1.0		281	2.4
	253(2)	1.3		280(3)	0.2
	251(2)	2.0		280(2)	1.0
	251(1)	0.5		280(4)	0.5
	266	4.3		280(1)	1.0
	281	3.1		995	0.6
	280(2)	0.6	<i>Haiat</i>	107	3.1
	280(4)	0.2		98	2.5
	280(1)	0.5		V.P. Road	1.0
	285	1.0		93A & B	1.5
	285	3.5		66	0.5
	277	1.0		V. P. Road	2.0
	278	0.5		97	3.0
	275	3.1		98	3.0
	273	3.0		99	0.3
	274	3.5		102	1.0
	V.P. Road	1.0		62 or 67	1.5
	285	4.0		66	0.5
	277	0.7		38	3.7
	276	1.5		37	1.2
	275	1.5		36	0.7
	293(3)	1.5		109	1.1
	V.P. Road	1.0		110	3.2
	V.P. Road	1.0		111	0.3
	272	3.5		V.P. Road	1.5
	270	2.0		35	3.8
	278	3.0		32	0.1
	277	1.0		33	1.3
	285	4.0		34	
	285	1.3		A & B	1.7
	280(3)	0.5		14	3.5
	280(4)	1.0		15	1.5
	280(1)	1.7		A & B	
	278	0.2		17	0.6
	279	1.0			
	268	1.0			
	269 A	1.6			

[No. 31/87/63-ONG.]

**S.O. 1600.**—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 290, dated the 10th January 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right

of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

#### SCHEDULE

State—Gujarat				District—Baroda				Taluka—Baroda			
Village				Survey No.				Acre		Guntha	
Adol				40					0	1-1/2	
				56/1					0	2	
				62					0	3	
				63					0	1-1/2	
				66					0	11	
				72/1					0	3	
				73					0	1/2	
				74					0	1	
				75/1					0	1/2	
				75/2					0	1	
				76					0	1-1/2	
				179					0	4	
				183					0	2	
				226/1					0	1	
				601/1					0	2-1/2	
				601/2					0	1	
				602/1					0	1	
				603					0	2	
				604					0	2	
				605					0	1/2	
610					0	2					
611					0	3-1/2					
612/1					0	2					
612/2					0	1					
613					0	2					

[No. 31/67/63-ONG-11.]

**S.O. 1601.**—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 624, dated the 13th February 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this Notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

## SCHEDULE

State : GUJARAT

District: BROACH

Taluka : ANKLESHWAR

Village	Survey No.	Acre	Guntha	Sq. Yds.
Sarthan	5/1 } 5/2 }	0	1	
"	52	0	1	
"	81	0	4	
"	82	0	3	
"	83	0	4-1/2	
"	84	0	3-1/2	
"	88	0	3-1/2	
"	110	0	2-1/2	
"	111	0	1/2	
"	112	0	1	
"	113/2	0	4	
"	115/1	0	4	
"	115/2	0	3	
"	117	0	2-1/3	
"	118/2	0	1	
"	120	0	6	
"	121	0	2-1/2	
"	122	0	5-1/2	
"	124	0	12	
"	125	0	21	
"	126	0	4-1/2	
"	127	0	8	
"	128	0	1-1/2	
"	129/1	0	5-3/4	
"	129/2	0	2-3/4	
"	130	0	1-1/2	
"	131/1	0	2-1/2	
"	131/3	0	5-1/2	
"	131/4	0	1-1/2	
"	132	0	3	
"	132/1	0	1-1/2	
"	133	0	6-3/4	
"	134	0	11-1/4	
"	135	0	29-3/4	
"	136/2	0	6	
"	137	0	8	
"	138 paiki	0	2	
"	138 "	0	4	
"	138 "	0	6-1/2	
"	139	0	2-1/2	
"	140/1	0	2	
"	141/1	0	1-1/2	
"	141/2	0	1	
"	155/1	0	3-1/2	
"	155/2	0	1-3/4	
"	156 }	0	9	
"	157 }			
"	158/2	0	4-1/4	
"	161	0	1/2	
"	162/1	0	2	



Village	Survey No.	Acre	Guntha	Sq. Yds.
Sarthan . . . . .	162/2 . . . . .	0	6	
" . . . . .	163 . . . . .	0	7	
" . . . . .	164/2 . . . . .	0	4	
" . . . . .	165/1 . . . . .	0	1-1/2	
" . . . . .	165/2 . . . . .	0	3	
" . . . . .	167/1 . . . . .	0	4	
" . . . . .	167/2 . . . . .	0	8	
" . . . . .	168 . . . . .	0	2-1/2	
" . . . . .	171/A } . . . . .	0	9	
" . . . . .	171/B } . . . . .			
" . . . . .	171/E } . . . . .			
" . . . . .	320/B . . . . .	0	1-1/2	
" . . . . .	320/2 . . . . .	0	1-1/2	
" . . . . .	321 . . . . .	0	2-1/2	
" . . . . .	322 . . . . .	0	2-1/2	
Telwa . . . . .	28 . . . . .	0	8-1/2	

[No. 31/67/63-ONG-iii.]

**S.O. 1602.**—Whereas by a Notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 3292, dated the 20th November 1963 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that Notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this Notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this Notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

# SCHEDULE

State : UTTAR PRADESH

Tahsil : MEJA.

Distt. : ALLAHABAD

Village	Survey No.	Extent	Survey No.	Extent
		B. B. B.		B. B. B.
1. Sonai . . . . .	489	0 0 10	520/2	0 6 7
	497	0 18 0	800	0 1 0
	498	0 8 0	801	0 4 5
	500	0 5 0	802	0 2 0
	501	0 3 10	815	0 3 10
	502	0 4 0	819	0 0 15
	505/3	0 0 5	820	0 9 5
	516	0 3 10	822	0 0 5
	517	0 0 1	860/2	0 6 0
	518/1	0 3 0	863	0 3 0
	519/1	0 6 10	864	0 2 10

Village	Survey No.	Extent		Survey No.	Extent
		B. B. B.			
Sonai—contd.	866	0 2 15	Emaleya Kalan—contd.	1303	0 1 0
	867	0 4 10		1304	0 3 10
	873/1	0 2 0		1309	0 8 10
	875	0 2 10		1310	0 5 10
	874	0 2 0		1311	0 1 15
	889	0 2 5		1312	0 2 10
	890	0 6 0		1314	0 3 10
	891	0 2 0		1315	0 2 10
	896	0 1 0		1344	0 5 0
	897	0 8 0		1345	0 4 0
	912/1	0 6 10		1347	0 12 0
	912/2	0 1 10		1348	0 0 5
	913	0 0 2		1351/1	0 2 5
	918	0 0 5		1351/2	0 11 0
	919/1	0 6 0		1352	0 2 5
	919/2	0 6 0		1356	0 1 0
	921/3	0 1 0		1357	0 1 0
	922	0 14 10		1358	0 1 0
	923	0 0 5		1974	0 1 5
	966M	0 6 5		1975	0 6 0
	966M	0 12 0		1976	0 0 5
	967/4	0 2 0		1977	0 9 0
2. Emaleya Kalan	975/2	0 4 0		1978/2	0 6 10
	976	0 1 5		1982	0 1 0
	977	0 3 15		1983	0 4 10
	978	0 2 10		1990/1	0 4 10
	979	0 5 10		1990/2	0 5 5
	981	0 6 10		1990/3	0 7 0
	984	0 2 15		1992	0 0 5
	985	0 1 5		1994	0 2 10
	986	0 5 0		1995/1	0 1 0
	1050	0 1 15		1995/2	0 19 0
	1051	0 1 15	3. Uruwa	40	0 2 5
	1052	0 2 10		42/2	0 10 10
	1054M	0 2 10		43	0 9 10
	1054M	0 0 10		46/2	0 4 0
	1056M	0 5 0		46/3	0 3 0
	1056M	0 0 10		51	0 0 5
	1057	0 2 10		52	0 8 0
	1059	0 0 5		53	0 0 10
	1060	0 2 10		55/1	0 1 10
	1059	0 3 15		55/2	0 1 10
	1071	0 2 10		55/3	0 2 5
	1072	0 2 10		120	0 11 0
	1131/1	1 18 0		135/1	0 2 0
	1041/1	0 16 10		135/2	0 1 0
	1142	0 15 10		135/3	0 0 5
	1176	0 3 15		135/4	0 1 10
	1177	0 12 15		136/1	0 2 0
	1186	0 5 10		136/2	0 1 0
	1187	0 5 0		137	0 0 2
	1188	0 0 10		138	0 9 0
	1189	0 3 15		141/1	0 0 5
	1190	0 8 15		145	0 4 5
	1194/2	0 3 10		146	0 3 0
	1194/3	0 2 10		147	0 3 15
	1195/3	0 5 0		148	0 13 0
	1196	0 0 15		170	0 0 10
	1231/1	0 0 10		172	0 4 0
	1231/3	0 4 10		469	0 8 5
	1233/1	0 5 0		470	0 8 0
	1234	0 1 5		478	0 8 0
	1235/1	0 3 15		479	0 11 0
	1300	0 3 10		507	0 11 0
	1301	0 1 0		508	0 0 5
				589/1	0 6 10

New Delhi, the 30th April 1964

**S.O. 1603.**—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 864, dated the 6th March, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

STATE:	DISTRICT:	TALUKA:		
GUJARAT	SURAT	CHORIASI		
Village	S.No.	A.	G.	Sq.yd.
Uttaran . . . . .	95 Paiki	0	10	96

[No. 31/38/63-ONG.]

**S.O. 1604.**—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 686 dated the 21st February, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

## SCHEDULE

State—Gujarat.		District—Broach.		Taluka—Broach.	
Village	Survey No.	Acre	Guntha	Sq. Yds.	
Simalia . . . . .	Village Road . . . . .	0	3	96	
„ . . . . .	97/98	0	3	113	
„ . . . . .	(Block No. 164)				
„ . . . . .	102	0	12	57	
„ . . . . .	(Block No. 158)				
„ . . . . .	103	0	6	52	
„ . . . . .	(Block No. 167)				
„ . . . . .	126	0	28	3	
„ . . . . .	(Block No. 180)				
„ . . . . .	Village Road	0	0	117	
Kisnad . . . . .	82/3 paiki	1	8	2	
„ . . . . .	81	0	17	16	
„ . . . . .	80	0	8	67	
„ . . . . .	78	0	29	48	
„ . . . . .	79	0	0	40	
„ . . . . .	77	0	16	58	
„ . . . . .	46	1	3	62	
„ . . . . .	Village Road	0	5	64	
„ . . . . .	22 paiki	0	30	25	
„ . . . . .	23 „	0	3	17	
„ . . . . .	Village Road	0	3	104	
„ . . . . .	6	0	32	9	
„ . . . . .	5	0	10	20	
„ . . . . .	224/2 paiki	0	24	20	
„ . . . . .	227 „	0	14	9	
„ . . . . .	225	0	21	10	
„ . . . . .	226/3 paiki	0	23	32	
„ . . . . .	237 „	1	23	15	
„ . . . . .	232/2 „	0	23	16	
„ . . . . .	233	0	5	110	
„ . . . . .	Village Road	0	0	95	
„ . . . . .	234	0	21	111	
„ . . . . .	199 paiki	0	31	107	
Karghat . . . . .	34	0	21	80	
Aldar . . . . .	337	0	25	48	
„ . . . . .	370	0	0	48	
Ghodi . . . . .	115	0	2	70	

[No. 31/38/63-ONG. 11.]

**S.O. 1605.**—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 860 dated the 2nd March, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—Bihar.

District—Santhal Paraganas.

Thana—Deoghar.

Village with Thana No.	Survey No. (Plot No.)	Extent in acre	Village with Thana No.	Survey No. (Plot No.)	Extent in acre
Gangti No. 209	742A	0.08		167	0.02
	742C	0.18		165	0.05
	221	0.09		219	0.17
Chhotamanikpur No. 116	354	0.01		218	0.04
	353	0.27			
	352	0.14	Khawasdihi No. 121	28	0.04
	348A	0.68		27A	0.64
	348B	0.26		27B	0.26
	348C	0.59		27C	0.15
	347	0.28		12	0.09
	293	0.005		13	0.705
	345	1.00		7	0.315
Badlad No. 117	8	0.39		16	0.22
	9	0.06		3	0.29
	152	0.04		1	0.19
	153	0.09			
	154	0.195	Amarpur No. 120	96A	0.51
	155	0.23		96B	0.035
	156	0.22		94	0.10
	151A	0.015		95	0.515
	151B	0.33		114	0.32
	151C	0.375		117	0.09
	157	0.35		118	0.17
	158	0.235		119	0.045
	159A	0.08		120	0.315
	159B	0.08		121	0.43
	172	0.003		122	0.155
	170	0.12		126	0.025
				127	0.03

[No. 31 (47)/63-ONG. ]

**S.O. 1606.**—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 564 dated the 7th February, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

## SCHEDULE

State—BIHAR

District—SANTHAL PARGANAS

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Jaljori	31	0 01		2669	0 04
No. 54	48	0 02		2679	0 045
Sardari Circle Kalajharia	628	0 11		2684	0 03
	653	0 11		2650	0 035
	49	0 095		2507	0 07
	702	0 02		2561	0 245
	87	0 002	Jadudih No. 30	717	0 01
Suiyapathar No. 52	39	0 16	Sardari Circle Pabia	720	0 04
Sardari Circle Kalajharia				721	0 10
Kasitanr No. 25	272	0 06		724	0 04
Sardari Circle Pabia	239	0 09		726	0 005
	131	0 24	Mohara No. 1	174	0 008
	45	0 235	Sardari Circle Gaichhand	303	0 035
	24	0 06		291	0 03
Patiardih No. 28	329	0 015		256	0 05
	90	0 025		456	0 09
Sardari Circle Pabia				439	0 02
Raghunathpur No. 64	1175	0 025	Jabardaha No. 29	641	0 01
	2640	0 03	Sardari Circle Pabia		
Sardari Circle Kalajharia	2639	0 13			

[No. 31/47/63-ONG. II.]

**S.O. 1607.**—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 561 dated the 7th February, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

## SCHEDULE

State—BIHAR

District—SANTHAL PARGANAS

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Saharpur No. 65	1706	0 05		913	0 07
Sardari Circle Kalajharia	1774	0 08		722	0 035
	1806	1 114		723	0 035
	1702	0 025		726	0 125
Pasai No. 3	1302	0 26		697	0 08
Sardari Circle Gaichhand	1398	0 18		698	0 015
	1399	0 08		667	0 035
Gaichhand No. 8	1236	0 05		664	0 02
	891	0 015	Raniganj No. 15	342	0 03
Sardari Circle Gaichhand	905	0 09		350	0 03
	907	0 08	Sardari Circle Gaichhand		

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. Plot No. 4	Extent in acre
Budhudih No. 6 . . .	1086	0.03	Sardari Circle Gaichhand	604/1850	0.05
				345	0.005
Sardari Circle Gaichhand	1860	0.05	Rajamdih No. 17.	153	0.02
	1084	0.065	Sardari Circle Gaichhand	143	0.16
	1109	0.01		172	0.065
	1110	0.015		180	0.03
	1111	0.044		177	0.10
	1088	0.035		179	0.08
	1749	0.08		444	0.16
	1689	0.27		450	0.06
Budhudih No. 6 . . .	1779	0.25		455	0.06
				787	0.26
				763	0.145

[No. 31/47/63-ONG.]

B. SUBBA RAO, Under Secy.

### ORDER

*New Delhi, the 29th April 1964*

**S.O. 1608.**—In exercise of the powers conferred by Section 18-G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following Order to amend the Ethyl Alcohol (Price Control) Order, 1961, namely:—

1. This order may be called the Ethyl Alcohol (Price Control) Amendment Order, 1964.
2. In sub-clause (a) of clause 3 of the Ethyl Alcohol (Price Control) Order, 1961 for the figure "8", the figures "15" shall be substituted.

[No. 4(25)-Chem I/64.]

R. J. BHOJWANI, Under Secy.

